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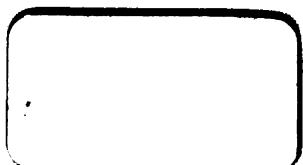
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THE ANNALS OF IOWA

A HISTORICAL QUARTERLY

VOLUME ELEVEN—THIRD SERIES



EDITED BY
EDGAR R. HARLAN
CURATOR

PUBLISHED BY THE
HISTORICAL DEPARTMENT OF IOWA
DES MOINES
1913-1915

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VOL. XI, NO. 1.

APRIL, 1913. - 15

ANNALS OF IOWA.

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PRICE \$1.00 PER YEAR. SINGLE NUMBER 25 CENTS.

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ANNALS OF IOWA

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Chas. B. Richards

ANNALS OF IOWA.

VOL. XI, No. 1. DES MOINES, IOWA, APRIL, 1913. 3D SERIES.

ORGANIZATION AND SERVICE OF THE FRONTIER GUARDS.

By CHARLES B. RICHARDS.

After the return of the expedition which went to the relief of the settlers and buried the dead at Spirit Lake, Governor Grimes sent me a commission as Commissary General, authorizing me to represent him in all matters pertaining to the protection of the Northwestern frontier of Iowa. He also sent me five hundred muskets with ammunition to be distributed and used as I deemed best, and directed me to report to him. The muskets were stored in Fort Dodge, and I gave guns and ammunition to such settlers as desired them. After the massacre at Spirit Lake and Springfield in the spring of 1857, the only settlers left were at Algona in Kossuth county and the Irish colony in Palo Alto county. During the summer of 1857, Howe, Palmer, Wheelock, Rodney Smith and their friends, who had taken up claims before the massacre but had not moved in, with Prescott, a retired clergyman and his colony, and some others, settled on and about Spirit Lake and Okoboji.

The stories told of the massacre of the previous winter, the suffering and brutal treatment of women taken captive, made it almost impossible to keep any women in the country. Settlements were scattered and there were no troops to call. Fort Dodge, the nearest point where relief could be obtained, was ninety miles distant. Every rumor of an Indian seen in the country and the knowledge that the Little Sioux river and the lakes were a favorite hunting ground, frightened the settlers. At a meeting held at Spirit Lake, resolutions were adopted

authorizing a petition¹ to be prepared and signed, asking the State to furnish for their protection a company of mounted men, and if such protection could not be obtained, to abandon for the winter the settlements of Dickinson, Emmet, Clay, Buena Vista and O'Brien counties. Jared Palmer brought this memorial to me at Fort Dodge and I accompanied him to Des Moines where the Legislature had just convened. We laid the matter before Governor Grimes, the then retiring Governor, and Governor Lowe who was just inaugurated. The day after Governor Lowe was inaugurated he issued to me a commission as Commissary General and Acting Pay Master General with rank of Colonel, which commission I still have, all

¹Spirit Lake, Jan. 9th, 1858.

To the Hon. The General Assembly of the State of Iowa.

The undersigned citizens residing in the vicinity of Spirit Lake would respectfully present for the consideration of your Honorable body the situation of the people on the frontiers in the northwestern part of the State.

We are exposed to the attack of Indians under circumstances affording little hope of relief. The settlements are sparse and widely scattered with but little communication with each other. A hostile invasion has already been made and depredations committed in the vicinity where the outrages were commenced last winter and with a result to encourage renewed attempts. At any hour this may be repeated in points utterly unprotected and but poorly supplied with means of defense. Some of the surrounding settlements have already been abandoned for the winter and all are much weakened in numbers by persons who have left. Many of the settlers remaining cannot leave without abandoning their all and cannot collect in sufficient numbers to withstand an attack, and depending, as nearly all the remaining settlers do, upon their own exertions for sustenance must either endure great suffering or remain exposed to danger. If we apply to the general government, relief, if obtained, would be too late. Help for us to be efficient must be prompt. A small body of soldiers placed near the Little Sioux River in the vicinity of the state line would afford protection to all the settlements on the Little Sioux about Spirit Lake, and on the west fork of the Des Moines River and their vicinity. If those troops were mounted, the protection would be much more efficient. We would therefore respectfully pray that a law be passed authorizing volunteer troops, for the term of three months, to be stationed in the northwestern part of the state. Your petitioners also pray for such other means of protection as our circumstances demand.

Orlando C. Howe
William P. Gaylord
Jared Palmer
Wm. D. Carsley
Joseph Miller
W. H. Packard
Dan Calwell
T. S. Ruff
C. L. Richardson
Rosalle Kingman
W. B. Brown
Charles F. Hill
Joseph M. Post
George Detrick
W. Lamont
Lawrence Ferber
Levi Daugherty

George Rogers
E. E. Longfellow
James P. Peters
E. Thurston
Thomas Minor
Jas. D. Hawkins
George S. Post
R. N. Wheelock
Wm. Donaldson
Roderick A. Smith

LADIES' NAMES.

Agnes J. (?) Kingman
Malissa A. Peters (?)
Mrs. M. W. Howe
Elizabeth Thurston
Mrs. H. Massey

other papers connected with the matter having been lost by fire².

C. C. Carpenter, afterwards Governor of Iowa, was the representative of all the counties interested. If I remember correctly there were nineteen counties in his district, every one of which I had visited with him during the canvass, before the election of Governor Lowe. The Governor at once called the attention of the Legislature to the necessity of immediate action and a bill³ was passed authorizing the Governor to accept and put in service a company of mounted men to be known as the Frontier Guards⁴. A company organized

Gen. Richards,

²Executive Chambers, Iowa,

Des Moines, Feb. 13th, 1858.

The act providing for the protection of the Frontier is just published, a copy of which here enclosed. I do not wish the Company raised mustered into service unless there is a real necessity for it and then only the numbers necessary to effect the end proposed. I think 30 mounted men perhaps under the circumstances enough, but if in your judgment and that of Major Williams 40 had better be equipped, let it be done. Again, before the company is mustered into service you should have authentic and reliable evidence that the Frontier settlers are in danger of an attack from the Indians. The danger that seemed to exist a month or two ago may now be removed. Should there be reasonable doubt on this point I would like for you or Major Williams or some other trusty person to be sent out to ascertain if possible the real state of things, existing there. But you may have information sufficiently reliable to act at once. Should the danger be regarded as imminent—the company should be mustered into service as soon as they can get ready after the election of officers, without waiting for their commissions. As my commissary you will supply the arms and equipments contemplated by the act. I apprehend you will be able to procure all that will be requisite in your place. Draw on me for the same. You will please keep me advised of whatever facts deemed important for me to know.

Respectfully,

(Signed) R. P. LOWE.

I herewith return you your old commission as well as a new one constituting you a member of my staff, etc.

³Chapter 10, Acts of the Seventh General Assembly, in substance, provides that:

The Governor, when he deems it necessary to protect the frontier, shall raise and equip a company of from thirty to one hundred mounted men, with a captain, first lieutenant, second lieutenant, surgeon, four sergeants and four corporals; the company to be raised near Spirit Lake, with J. Palmer, agent, who with the captain and lieutenants of the company are to be a board of survey for passing upon all horses tendered by the men volunteering; the captain to transmit to the Governor monthly returns showing names, ages and services of the volunteers; the officers to constitute a board charged under, and the Governor to remove officers guilty of violations of, the articles of war of the U. S. army; the Governor to ask protection of the general Government and demand indemnity for any expenditures made to carry out this act and be authorized to correct any error or oversight necessary to carry out the spirit of this law; the payment of the company to be bi-monthly; the company to be subject to call but payment to be only for services and to be disbanded after the general Government has taken measures to protect the frontier.

J. Palmer, Esq.

Executive Chamber Iowa

Des Moines Feb 13th 1858

The enclosed law [preceding paragraph] was published this morning in the Citizen and will be published in the Journal next Monday. You will of course proceed immediately to perform the duties required of you

in Hamilton and Webster counties, offered services and were accepted by the Governor⁵. This company elected H. B. Martin, Captain, W. L. Church, First Lieutenant and David S. Jewett, Second Lieutenant. The company reported to Governor Lowe that they were ready to go to the frontier as soon as they were provided with the necessary outfit and ammunition, which the law authorized the Governor to furnish. The Governor ordered Captain Martin to report to me at Fort Dodge and authorized me to obtain the necessary things, as provided by the law; also notified Captain Martin to receive all orders from me and report to him through me. I had all the women in town making tents and bought all the supplies obtainable and in three days was able to give Captain Martin

by said act, and report to me. I regret the delay at the legislature in this matter. If the intelligence from Spirit Lake still indicates imminent danger in the opinion of General Richards and Major Williams, I will have my Commissary General muster the company into service as soon as they can get ready after the election of officers, or rather order it to be done, that they may repair to the scene of the danger without waiting for commissions, which I can send to them at any time. I believe I said verbally to raise 40 mounted men but in view of the fact that the winter will have nearly passed before the Company can get out there, and the alleged scarcity of provender to subsist the horses upon at the S. Lake, my order now is that 30 mounted men should be the extent of your enlistment, unless in the opinion of Messrs. Richards and Williams the necessity of the case demands 40 men. You will not elect a surgeon according to section second of the act for this General provision is controlled by the special provision contained in section 16.

Respectfully,
(Signed) R. P. LOWE.

²See illustration on opposite page.

Col. Chas. B. Richards,

⁵Executive Chamber, Iowa,
Des Moines, Feb. 17th, 1858,

J. Palmer, the recruiting agent appointed by the law to raise a company to protect the frontier, has made his report now just received, informing me that he has raised a company of 38 men, some in Boonesborough, some at Homer and Webster City, Hamilton county, and that they had elected their officers, to whom commissions have this day been forwarded, although I am not satisfied that the company has been raised, as the act directed, as near as practicable to the scene of danger, which I think would have been at your place. Still the condition of the settlers on the frontier may admit of no delay and I have thought best under the circumstances to recognize the company, but they must be mustered into service at your place, as soon as you and Major Williams have reliable information of the necessity of that thing. When you have, you are directed to order Capt. H. B. Martin of Webster City to muster his company at Fort Dodge into service. Furnish them with the necessary arms and equipments. I wrote you a few days ago that I thought 30 men would be sufficient and I still think so, but as the company of 40 men will have been recruited before my orders on this point could reach you or Mr. Palmer, I have concluded to let that number be enlisted. Let me hear from you soon.

Respectfully
(Signed) R. P. LOWE.

J. Palmer, Esq.

Executive Chambers Iowa
Des Moines Feb 17th 1858

I regret that you did not recruit the company as near the scene of danger as practicable. The object of the law was to save as much expense as possible to the State. However I have sent the commissions

In the Undersigned Officers have commanded
 Officers & Privates of the Iowa Frontier Guards do
 hereby Acknowledge the receipt from the State of Iowa
 of the Sum of Money respectively set opposite our
 names which appear below and are attached to a
 Commissioned Officer of said Company and full
 for pay for serving the number of days entitled
 to on the aforesaid Certificate of the Captain
 of said Company being full pay for the term
 of each man whose name is here attached from
 the 22nd day of August to the time of Discharge.

Henry B. Martin
 H. S. Smith
 David E. Loretto
 Dennis Hall
 William G. Grayson
 W. S. Deane
 Ezra H. Wilcox
 Charles Stratton
 Thos. McCreary
 Andrew J. Proctor
 Franklin Mason
 Lemuel McIntosh
 Richardson
 J. L. Long
 A. J. Leonard
 Wm. B. Charlton
 Michael J. Sweeney
 W. H. Bates
 C. B. Hill
 John W. Long
 Geo. J. Krugner
 Wm. W. Fink

William J. Turner
 G. L. ...
 Le L. Estes
 W. Knapp
 Robt. J. ...
 ...
 John H. ...
 Thomas ...
 ...
 William E. ...
 Jacob ...
 H. C. ...
 H. ...
 W. ...
 William ...
 F. B. Blake
 H. H. ...
 J. H. ...
 W. ...
 W. ...
 Eber ...
 E. W. ...
 ...

his marching orders. I reported this to the Governor whose approval was at once given⁶.

Having been over the ground and conferred with the settlers I ordered him to station ten men under the Second Lieutenant in Emmet county, on the Des Moines river, and twenty men under Lieutenant Church on the Little Sioux at Bell's place, where now, I think, Peterson is located. The main body under Captain Martin was to be stationed at Spirit Lake. I ordered each commanding officer to send out scouting parties whenever the weather would permit, and if any Indians were found in the State, to examine them, and if they were hunting parties from the agencies, to order them out of the State. Under no circumstances was an Indian to be killed, but if any were recognized as being connected with the Inkpadutah Band present at the massacre they were to be held and the matter reported to me at once for orders in accordance with my instructions from Governor Lowe.

Several were taken and ordered from the State, having satisfied Captain Martin that they were peaceable and belonged

to the officers elected, but must insist upon the company being mustered into service at Fort Dodge so as to comply with the intention of the law. If I shall afterward become satisfied that the company could not have been raised in Webster county near Fort Dodge, I will allow the time occupied in going to that place. Under the act, I must have reliable information of the necessity of calling out the company, and as I am so far removed from the sources of intelligence on the subject, I have concluded to leave the time of mustering the men into service upon the judgment of the commissary, Col. Richards, and Major Williams. If they have any information authorizing the mustering of the company into service an order will issue from Col. Richards to Capt. Martin to that effect.

Respectfully,

(Signed) RALPH P. LOWE.

Gen. Richards
Ft. Dodge

⁶Executive Chamber Iowa.
Des Moines March 4th 1858.

Sir: I have yours of the 28th ultimo, also a letter from Palmer and Howe at Lake City, setting forth the same facts mentioned in yours. Your plans and orders met my approval in every respect. Many days would be occupied in getting equipage from St. Louis and I therefore do not deem it practicable to attempt anything of the kind for this Company. If we have an early Spring, as is now indicated, it will not be necessary for the company to remain in service a great while. If you think a large number of men really necessary for the protection of the northwest, take proper steps to muster the necessary number into service with such dispatch as you may deem proper.

Your Obedient Servant

(Signed) RALPH P. LOWE.
Fort Dodge April 6th 1858

Hon. Ralph P. Lowe
Dear Sir

Yours of the 29th was duly received containing list of names for Military Company on Little Sioux River. I will get the necessary information as regards the men who propose to organize. I have some 200 muskets on hand which are of no particular use in any event & might

to the agency. Two Indians' were captured whom some of the settlers thought they recognized as of the band which committed the murders at the Lakes. Captain Martin kept them prisoners and sent a messenger to Fort Dodge giving me the facts, but expressed his opinion that their identification was doubtful. I referred the matter to Governor Lowe who ordered me to have Captain Martin send them to me at Fort Dodge and to hold them as prisoners until their identity could be established. I transmitted this order to Captain Martin and he detailed a guard and started the two prisoners for Fort Dodge. The first stopping place was on the Des Moines river at Miles Mahan's. The prisoners were bound with ropes, their feet tied so that they could only take short steps. In the evening they signified to the guards that they wanted to go out before lying down and accompanied by the guards they were allowed to do so. Near by was a bluff and some timber. They at once gave a bound over the edge. The

as well be used for military companies to learn the manual as any thing else; I have been obtaining all the information possible as to the necessity of keeping Captain Martin & company in service and there are so many conflicting stories and rumors that I can hardly determine what is best. I have received a monthly report from Capt. Martin in accordance with the orders I herewith enclose. I think it would be well for some man to go to the lakes & see how matters do really stand. The men will hardly pay expenses unless kept out more than two months but the State should not be kept at an expense which is not actually necessary.

I received spurs, powder flask and also Treasurer's warrant for \$34.41 and will forward receipts as soon as our county treasurer can pay the warrants. I will write as soon as I learn in regard to the company on Sioux River. In my judgment a company at that place well drilled would be all that is required to protect all the settlements southwest of Spirit Lake and the emigrants will soon fill up Dickinson county in the course of two months so as to render them strong enough to take care of themselves. I am very sorry the bill for paying the expenses of last Spring's expedition failed to pass. It is very bad for this country. If they had payed the expenses it would have done to let the men wait but many men paid out considerable sums of money on the faith of the State and many have obtained means to live on on the strength of their claim and no claim was put in for any more than they furnished and the price was no more in any instance than the articles would bring in cash at the time they were delivered and we lived on half rations all the time. I paid out considerable money and expected as Gov. Grimes had commissioned Major Williams to do every thing necessary to protect the northwestern frontier and as there was an actual invasion of the State and as it was highly probable that citizens of the state were besieged and needed assistance and as we all went under the call of a duly commissioned officer, to have it refunded. I think the State, if she has any regard for her honor should pay back what was paid out by those who furnished money and provision for the expedition. I paid \$110. in cash for a horse for the use of the expedition and ruined him and spent considerable money but I can give mine to the state but there are those who are seriously injured by the acts of the Legislature.

Yours very truly,

CHAS. B. RICHARDS.

'STATEMENT OF HIRAM WILTFONG

I have lived on the frontier above Ft. Dodge in Iowa since June 1854 excepting part of the year 1857. I have seen the band called Inka-

guards fired at them, but as it was very dark, they were unable to find them. Thus escaped the only prisoners taken. I think Governor Lowe, Captain Martin and I were all pleased that the matter ended as it did, for the settlers, especially women, were very anxious to hang them. I was certain they never would return after they saw there was a well armed and well mounted force to guard the frontier, and when they were told by Captain Martin that under no circumstances would any Indian be allowed in the State.

The company was kept in service making frequent scouts to the north and west as far as they could go and return in a day. I made a trip every two months, going first to Des Moines for the money, accompanied with one man detailed by Captain Martin, and with my pony loaded with gold coin, my blankets and pistols. From Fort Dodge there were three places where I could stop for the night; one on the north line of Humboldt county with Mr. Evans; one at Shippy's in Palo Alto county, and one at Miles Mahan's, where I left the Des Moines river to cross the prairie thirty-five miles to Spirit Lake. From there I traveled forty-five miles without seeing a house, to pay Lieutenant Church and his detachment; then to Fort Dodge, sixty-five miles, for forty-five miles of which there was no house. In the winter with only a blind snow-covered trail, this was not a pleasant task. It required nearly a month in stormy weather and in the spring when the streams were high, as there was not a bridge in the north-western part of the State. To the plan of disbanding the company in the spring the settlers objected and I was directed

padutah's band several times and have seen Inkpadutah himself while I was living on the Des Moines River in Kossuth county.

I have to day seen two Indians held as prisoners at Spirit Lake by Capt. of the Frontier Guards and recognize them as those I have seen with that band.

The younger one was near my house in Kossuth County in June, 1856. I saw the older one about the last of November 1856 at the house of Joel Howe at Spirit Lakes. This was the Mr. Howe who with his family were massacred the next March after I saw the Indian there; and I believe both of the prisoners to be part of the Inkpadutah's band.

Dated Spirit Lake, February 25th 1859

(Signed) HIRAM M. WILTFONG

And sworn to before Jareb Palmer Clerk of the District Court for Dickinson County Iowa.

to keep the company in service until July,^s when by order of Governor Lowe I made the trip to all the counties. Many immigrants came in during the spring, understanding that

*Executive Chamber, Iowa
Des Moines, 24th April, 1858

Gen'l C. B. Richards
Fort Dodge, Iowa

My Dear Sir: Dr. Farner(?) presented at this Department on yesterday your letter of the 13th instant, and petitions from the Northwestern Counties, asking for the continuance of the Frontier Guards in the service. I confess myself embarrassed by this action. While Governor Lowe often expressed his desire to disband the Company on the 1st of May, he gave no positive instructions as to my action upon the subject during his absence. I have concluded from the tenor of his letters that he had transmitted orders to you to disband the Company but your letter of the date above mentioned forces a different inference. Therefore while I believe that if the Governor were here he would disband the Guards, I will not, with your letter before me, assume the responsibility of doing in his name. I have written him at both New York and Washington upon the subject and urged immediate instructions. The guards will remain in service until you hear further from this Department. I will not advise, however, preparations for remaining at Spirit Lake a great while. You see that the State has incurred a considerable expense already and that the continued service of the Guards must materially augment that amount. It is true these matters should not be considered when the lives of the settlers are in danger, but good policy dictates that this expense should be curtailed the moment the danger ceases. The Governor will not neglect the pioneers on our frontiers, while doing justice to every other portion of the State.

The roll enclosed in Captain Martin's report was forwarded to the Governor at Keokuk. It is impossible without it to ascertain the amount due the men in the service. I have written to the family to forward it to me without delay. Aside from this it would be useless for me to draw an order on the Auditor before the 1st of May, as he would refuse to audit it before that date. I will forward warrants as you request as soon as possible.

The bills you enclose will be acted upon the first time I visit the Auditor's Office.

Respectfully
THOS. F. WITHROW,
Private Secretary.

Executive Chamber, Iowa
Des Moines 7th May 1858

My Dear Sir

I have yours of the 30th ultimo. The Treasurer of State is now absent, but is expected daily. When he returns if the gold can be obtained from the Treasury we will forward to you an amount sufficient to cover the pay of the company. The law is not very clear in its provision upon this point. While defining the duties of the officer who pays the members of the Company, it does not dictate who that officer shall be. After consulting with the Auditor, I have concluded that that duty would more properly rest upon me as Quarter-Master General than any other officer, and will therefore make an approximate estimate of the amount necessary to pay off the Company. The Auditor will draw his warrant for this amount, and charge the same to you on the books of his office. After paying the men as directed by law, you will return your vouchers to this office, with any balance remaining in your hands, which will be properly placed to your credit on the Auditor's books.

If I were situated as you are I should take the responsibility of disbanding the Company, unless satisfied that there is really danger of an Indian invasion. The Governor has entrusted the disposition of the Company to you, as officer acquainted with the actual condition of the frontier and I am satisfied would approve the disbanding of the Company at the earliest moment you deem it advisable. I can take no step in the matter for the reason that my instructions authorize me only to provide some method of paying the company.

Very respectfully
THOS. F. WITHROW
Private Secretary.

Gen'l Chas. B. Richards
Fort Dodge.

the troops would be retained until the settlements were strong enough to protect themselves. I reported to the Governor that in my judgment it would be safe to withdraw the troops during the summer, but recommended that they should not be discharged, as it might be advisable to again call them into active service in the winter. The Governor directed me to order Captain Martin to report to me at Fort Dodge with his command. He did so promptly and I paid the men and discharged them with orders to be ready for service whenever called on by the Governor. This ended the service for 1857 and 1858.

In the fall there were several bands of Indians seen on the Little Sioux and some on the head waters of the Des Moines. At a meeting of the settlers of Dickinson, Emmet, Clay, Buena Vista, Palo Alto and O'Brien counties, a petition for the recall of the guards was signed by both men and women and sent to Governor Lowe. He directed me to investigate as to the necessity of ordering the Frontier Guards again into service. I at once did so, and satisfied myself that unless protection was afforded, most of the settlers would leave, and I so reported to the Governor. He at once ordered Captain Martin and company to report to me at Fort Dodge for orders. Having stored the outfit of the previous winter, I purchased the necessary ammunition and supplies, and when Captain Martin reported with his command, ordered him to proceed to Spirit Lake and distribute his force where it could best protect the frontier of Iowa, to keep scouts out as he had done the previous winter, to capture every Indian found in the State and to report monthly to me at Fort Dodge. He was energetic and if an Indian was found he was taken and given to understand that he must not again come into the State.

I made the trip every two months and paid the company as during the previous winter. The fact that the Governor of Iowa was protecting the frontier became known and many immigrants settled in these counties during the next spring and summer. The general Government, although urged by Senator Grimes and others, utterly failed to make any move or do anything for the protection of the frontier settlements

of Iowa.⁹ As the spring opened up and the new settlers came into these counties the necessity of keeping the Frontier Guards in service was agitated in the newspapers. The election was to be held in the fall and the opposition press was trying to make political capital in the southern part of the State against Governor Lowe for keeping the Frontier Guards in service at great expense to the State.

In June the Governor ordered me to report whether in my judgment it would be safe to withdraw the Frontier Guards. After consulting with the settlers at the Lakes, I advised the Governor that it would be safe to withdraw them for the summer, as many new settlers were coming in, who, supplied with arms and ammunition, would be able to protect themselves. I received an order from the Governor to order Captain Martin and company to report to me at Fort Dodge. I went to Des Moines to draw the money to pay them. Captain Martin at once complied with the order and by direction of the Governor I paid off the company and discharged them from future service. Thus ended the efforts of the State to protect the settlements until they were strong enough to protect themselves. There is no question but that the wise action of Governor Grimes and Governor Lowe, backed up by the Legislature in providing the Frontier Guards and the energetic patrolling of the entire frontier of the State in the winters and springs of 1857 and 1858, and 1858 and 1859 kept Dickinson, Emmet, Clay, Buena Vista, and O'Brien counties

Hon. Sam'l R. Curtis
M. C.

*Executive Chamber
Des Moines March 15th 1858

I am at a loss to know whether to address the Commissioner on Indian Relations, the Secretary of the Interior, the Secretary of War or the President of the United States upon the subject of our Indian troubles. You will perceive from the law passed this winter, herewith enclosed, that the State in order to protect the settlers near Spirit Lake and the Little Sue River has again been compelled to arm and equip a company which has been done as the law dictates, and a company of 31 Dragoons are now at Spirit Lake. A letter received from there today informs me that Inkpadutah with his band is camped within 18 miles of that place, are very hostile and putting at defiance our troops. It was expected that an engagement would take place in a few days after the date of that letter. I need not say that the company was mustered into service after the most reliable information of the necessity of such a step. Just before the act in question was passed by the Legislature a skirmish had taken place between the Indians and the settlers. Since then they have burnt some houses and run off some cattle. I submit whether the proper department at Washington ought not to intervene and protect the frontier settlers from their depredations. Our state authority interposed because the danger was too imminent to wait until protection could be obtained from

from being abandoned. The course taken by Captain Martin and Lieutenant Church in strictly obeying orders and arresting and driving out of the State all Indians and giving them to understand that they would not be allowed to come into the State under any circumstances, kept them from their usual visits to the Little Sioux and the Lakes until the settlements were strong enough to protect themselves and thus saved the settlements in Iowa from a repetition of the Spirit Lake massacre. It turned the predatory bands of Indians from their former hunting grounds in Iowa, but culminated in the massacre at New Ulm, Minnesota. I doubt whether one hundred mounted men were ever kept in service for the same length of time at so little expense to the State.

While the Spirit Lake expedition of 1857 was one of the severest trials of endurance that any body of men was ever subjected to, I had worse experiences in my trips to pay the Frontier Guards than I had in that march with one hundred men to the relief of Spirit Lake, a full account of which was published in the ANNALS. In that march we were ready to assist one another, but in my trips of more than two hundred miles in the severe winters of 1857 and 1858, and 1858 and 1859, carrying gold in my saddlebags on my pony, I had but one companion, a stranger detailed by Captain Martin to accompany me.

I have a very distinct recollection of one trip I made in March after paying the detachment stationed at Spirit Lake under Captain Martin. He detailed a new man to accompany me to the camps of Lieutenant Church on the Little Sioux in Buena Vista county. We left Spirit Lake as early as we could see the trail, a bright March day. We had some dif-

the general Government. Will you not confer very soon with the proper department on this subject and ascertain what will and can be done to relieve the State from the burden of maintaining a military force upon the frontier to protect it from Indian invasions, a thing which I think will be recognized at once as the bounden duty of the general government to do. Inkpadutah's band, I understand, is composed of outlaws who have united to make their forage and exist by plunder. If we could keep up a military force of 50 men for one or two years, the settlements would in all probability become strong enough to protect themselves.

I will, in a few days, make out the expenses of last winter's campaign against the Indians for the purpose of having the same liquidated and paid. We will adjourn in one week. Let me hear from you at Keokuk.

Respectfully

(Signed) RALPH P. LOWE.

ficulty in crossing the Ocheyedan, the waters from the melting snow the two previous days having swollen the small streams. We traveled as rapidly as the trail would permit, and arrived at the Little Sioux river opposite Gillett's grove in Clay county at four o'clock in the afternoon. The ice was broken up and the river was high and rapid. Large cakes of ice were floating. It was thirty-five miles back to the Lakes to the nearest house on that side of the river and twelve miles to the camp of Lieutenant Church, the only stopping place within fifty miles. This river was between me and Lieutenant Church's camp. It was growing cold. We had no food or blankets. After following up along the river for more than a mile, I determined that my only chance was to swim the river. I ordered my attendant to follow me and fastening the saddlebags, which contained the gold to pay Lieutenant Church's detachment, firmly to my saddle, forced my pony into the stream. The current was rapid and we were carried down stream nearly one-half mile and instead of landing in the bottoms, as was intended, I was carried down to where the bluff was high and steep. My companion who had a larger horse than I and was not weighted with heavy gold and pistols, landed in the bottoms. I managed to get my pony near the shore where I was able to get hold of some overhanging bushes and pull myself on shore, relieving my pony. He managed to follow me up the bluff so steep that I had to go on my hands and knees. We had twelve miles to go to reach Lieutenant Church's camp. The trail was indistinct, and we must find the camp or remain in the open prairie with our frozen clothes. We ran our horses as fast as we could, as it was growing dark, and we finally saw a light. Lieutenant Church had ordered a large bonfire on the high ground near his camp. We found men out looking for us and we were taken in. I was helped from my pony, my clothes so frozen I could not dismount. The men made a blazing fire, wrapped me in warm blankets and prepared a hot supper. I was able to put on some clothes loaned by Lieutenant Church, pay off the men and plan for an early start in the morning, sixty miles across the country, forty-five miles without a tree or house.

We started as soon as it was light enough to see the trail and traveled as fast as our horses would go on a long day's ride. We stopped near a small lake to feed our horses and eat our lunch. My pony broke through the ice and in dismounting I was wet to the knees. For the rest of the day I was obliged to dismount frequently, run to get warm and then mount and ride as fast as prudent on a long day's trip until I was so cold I had to walk again. In this way we reached Fury's cabin at the head of the Lizard. About five o'clock, I asked Mrs. Fury if she could give me a cup of coffee and something to eat. I took off my wet clothes and got into bed while they dried. When she called me to eat I was for the first and last time so completely tired out I could not get up. Although I had intended to go to Fort Dodge, fifteen miles distant, I lay and slept until daylight the next morning. Then I started and reached Fort Dodge at 11:00 A. M. I stopped for breakfast at Richard Furlong's and such a breakfast! Ham and eggs! the first eggs I had seen in six months.

I had several trips nearly as bad and some more exciting than this in paying off the company.

The general Government as shown by documents forwarded to the Governor¹⁰ reimbursed the State for all money expended. The political excitement of 1860 prevented any further thoughts of Indians, as the rapid immigration had made all

¹⁰Office Northern Superintendency.
St. Paul, Dec. 21, 1858.

Sir,—

The accompanying claim, made by citizens of the State of Iowa through the Governor of the State is for supplies furnished to the expeditions therein named, formed by citizens in that State against Inkpadutah and his band in the spring of 1857 and amount in aggregate to \$3,800.91. A claim made for services on behalf of the volunteers engaged amounts to \$2404.00.

Upon examination of these claims, I find the fact well established that expeditions were formed against Inkpadutah from Fort Dodge, and vicinity immediately on receiving intelligence of the massacre at Spirit Lake. That the expeditions were in active service against Inkpadutah and his band and pursued them until so prevented by the snow and extreme cold that they could not overtake them. The statement filed as the report of Major Williams gives the detailed account of the expeditions.

The vouchers and accounts accompanying for supplies furnished appear to be regular and the evidence and proofs complete and my opinion is that they should be allowed. I would however make exceptions in this recommendation to the following claims; viz: claim marked 57 in the schedule as account of Charles R. Bissel is for services and expenses as surgeon to the expedition amounting to \$199; he charges for attendance on James Thomas and wife \$150, an additional charge which is not, in my opinion, a proper item to be allowed under this appropriation, con-

the settlements strong enough to protect themselves. The lessons the Indians had learned kept them away and there was no further trouble or excitement until the New Ulm massacre, when a regiment was stationed on the frontier by the general Government. Unfortunately the letters and orders received from Governor Grimes and Governor Lowe were destroyed by fire in the burning of my house. The letters and orders from Governor Grimes and perhaps a dozen from Governor Lowe were in their own handwriting, but most of them in the handwriting of the late Hon. Thomas F. Withrow, then private secretary of Governor Lowe.

sequently only \$199 is recommended of this claim as a proper allowance.

The claim of Smith E. Stevens is not certified to by any person connected with the expedition and is too indefinite and is not included in the recommendation.

The claim of C. B. Richards marked 65 on the schedule, includes two claims, one for necessary expenses etc., amounts to \$201.25; another for services in collecting bills etc. for making out report etc., for which he charges in general terms \$250.00, Total, \$451.25.

The first claim I would recommend, the latter claim I think too general and would particularly refer it to you for consideration. I have accordingly not recommended it, wanting evidence to sustain the same.

The claim of Major Williams for \$175 is for the equipment of men for protection of the frontier previous to commission of depredations: this it appears to me to bring this amount outside of the Act of Congress, which is for expenses incurred by expeditions against Inkpadutah.

Therefore I would recommend the allowance of the claims set forth in the schedule attached to this claim furnished by Mr. Withrow, Attorney for State of Iowa of all the claims for supplies filed, with the following deductions:

On claim 57, Charles R. Bissel	\$150.00
Smith E. Stevens	45.00
65, C. B. Richards	250.00
William Williams	175.00
	\$620.00

This makes the amount allowed for supplies.....\$3,180.91

So far as the claim for service of volunteers engaged in expedition is concerned, this I suppose should be considered as a claim on the part of the State for these parties. The allowance I have recommended for services in all other cases of volunteers is \$1.00 a day for each day's service and \$2.00 for the officers in command of companies. This would reduce the claim for services from the amounts charged which is \$2.00 per day for men and \$3.00 to \$4.00 for all officers.

The amount recommended for allowance therefore, is \$1329 for men and \$290, for officers, adding for G. B. Sherman, commissary, \$38, for services \$2.00 per day, makes total service \$1657, the same rates allowed in the cases of St. Peters, Travers des Louis, Mankato and other volunteers.

The evidence sustaining this claim is conclusive and satisfactory. The individual claims for services should have been filed as required in all other cases; should you however concede the application of the Governor, as sufficient and approve my recommendations, the total amount allowed will be \$4,837.91

Respectfully, your obedient servant
W. I. CULLEN,
Supt. Ind. Affairs

Department of the Interior.
Office of Indian Affairs.
May 27, 1859.

Sir,—

I have the honor herewith to transmit the applications filed with Superintendent W. I. Cullen under the following clause in the act to supply deficiencies in the appropriations for the current and contingent expenses of the Indian Department approved June 14, 1858; viz:

"For defraying the expenses of the several expeditions against Inkpadutah's band, and in the search, ransom and recovery of the female captives, taken by said band in eighteen hundred and fifty seven, the sum of Twenty Thousand Dollars, or so much thereof as may be necessary, the amount to be ascertained and paid on satisfactory proof, under the direction of the Secretary of the Interior." together with his general report, and special reports, expressive of his opinion on each individual claim.

The number of applications filed is 306, amounting in the aggregate to \$46,235.62. The Governor of Iowa withdrew however in January last, application 161, filed by the State of Iowa for \$7,903.84; so that the amount total of the applications is reduced to \$38,331.78.

Superintendent Cullen recommends the allowance of claims amounting to \$25,114.91.

These claims have been investigated by this office and though some of the items allowed may appear extravagant, and others not be substantiated so fully as to pass a rigid examination; yet in consideration of the explanations made in Supt. Cullen's report, whose position, proximity to the scenes of action, intimate knowledge with all the circumstances involved fully enabled him to arrive at just conclusions so as to render his decisions reliable; and in consideration of further explanations made by Senator Rice in his letter herewith enclosed I think that by the adoption of the recommendation of Supt. Cullen we may nearest approach the point attainable under the circumstances, which will do justice to all concerned. I would therefore respectfully recommend that 75 per cent, viz: \$18,836.18 of the amount allowed by Supt. Cullen, be paid and that the balance, viz; \$1,163.82 be retained to pay the incidental expenses of the investigation.

Very Respectfully,
Your obedient servant,
A. B. GREENWOOD,
Commissioner.

Hon. Jacob Thompson,
Secretary of the Interior.

Assorted Cargo—The steamer Pizzaro lately left St. Louis for the mouth of Kansas river with the following cargo for that point, viz.: 20 spinning wheels, twenty looms and their appendages, 300 axes and one hundred ploughs, and last though not least, \$10,000 in specie. This pretty little outfit is said to be for the Iowa and other Indians.—Davenport, I. T.—*Iowa Sun*, Nov. 13, 1839.

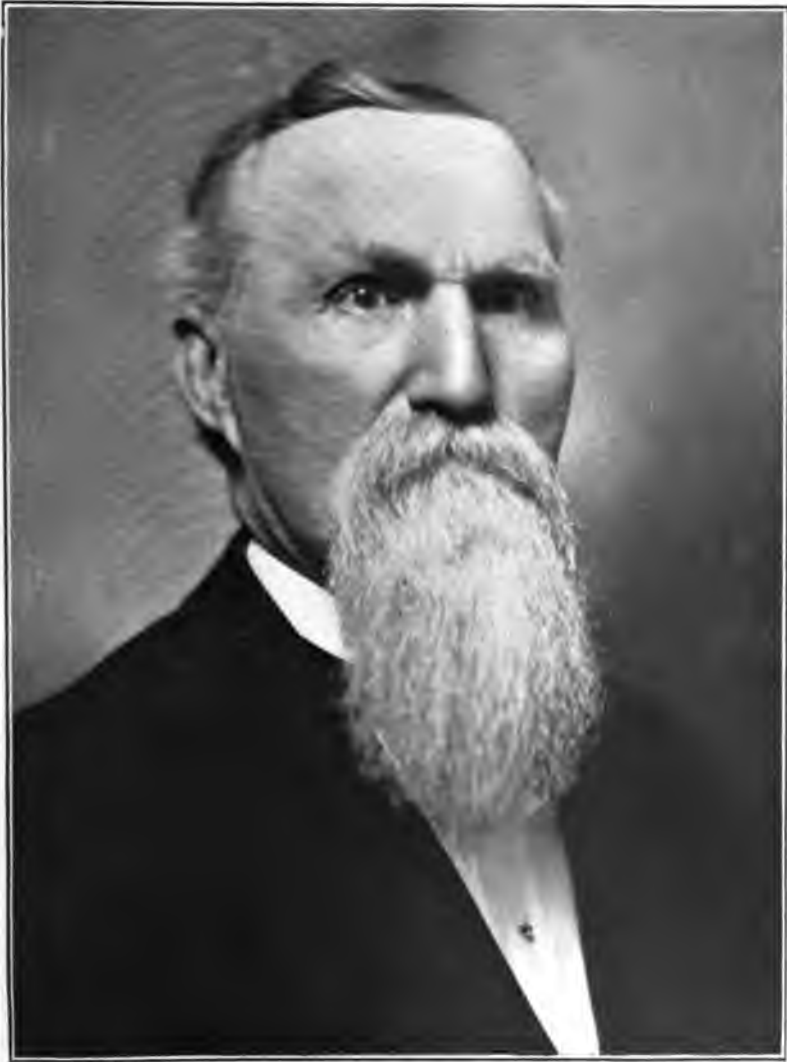
BIOGRAPHY OF HON. CHARLES JOHN ALFRED ERICSON.

By CHARLES L. DAHLBERG.

In recording the life of Hon. C. J. A. Ericson, I have drawn freely from comments of the press, the views of some of those who knew him best, as expressed by them while he was yet living, as well as expressions called forth by his death, believing that by so doing a truer and clearer conception of his life and character may be obtained.

Charles John Alfred Ericson was born in Sodra VI parish, near Vimmerbi, province of Calmar, Sweden, on the 8th day of March, 1840. His father, Eric Nelson, was a farmer by occupation, and with his family came to America in 1852, settling near Moline, Illinois, where he engaged in farming and fishing, both of which occupations he had followed in Sweden. Later he removed to Webster county, Iowa.

The early education of Charles J. A. Ericson was obtained in the common schools of his native land, where he pursued his studies until twelve years of age, when he accompanied his parents to this country, and continued his education in the common schools of Rock Island county, Illinois. Although his attendance at school was very limited, the lack of knowledge in this respect was remarkably well supplied by his extensive reading, his study of human nature, and, in later years, his travels, all of which gave him a mind well stored, especially with reference to matters of business and the affairs of the world generally, in the time in which he lived. He once stated to a friend that one means he had used in acquiring information was the constant attempt to associate himself with those from whom he could learn, an example well worthy of emulation by all, for Mr. Ericson was not only able to tell what he knew, and to express it well, but he was also a good listener and listened with profit to himself.



G. A. Brice

At the age of thirteen he began work for his elder brother upon a farm, and still later he assisted in running a flat-boat ferry across Rock River. The family then moved to Altona, Knox county, Illinois, where he worked in a general store for his two elder brothers. In the spring of 1859 he located in Boone county, at Mineral Ridge, where he opened a small store, having but little capital. He also engaged in buying and selling cattle and other live stock, and in both branches of his business he met with creditable success.

Mr. Ericson was six feet two in height, his body erect, with no surplus flesh, weighing on an average two hundred pounds or a little over. He was an athlete of no mean ability, and in his younger days often accepted challenges to friendly contests of strength, in which he rarely failed to come off victor.

Mr. Ericson was twice married. In 1858 he wedded Miss Matilda Nelson, and to them were born two daughters, Alice and Lorena. In 1873 he was united in marriage with Miss Nellie Linderblood, who died in 1899.

Among Mr. Erickson's early experiences which he has related to his friends, was his first visit to Des Moines to buy goods, after locating at Mineral Ridge, driving across the country with team, the only mode of freighting in those days. He had very little ready money and on arrival at Des Moines selected only a small bill of goods. The wholesale merchant with whom he was dealing, impressed by his personality, told him to take what he wanted, pay down what he could and bring him money or exchange produce for the remainder when convenient. This was Mr. Ericson's initiation into a business in Boone county that grew ultimately into a large general merchandise store in the city of Boone. It was the largest in the county, perhaps, at that time and laid the foundation for a business career that led not only to the accumulation of a handsome fortune, but a competence that enabled him to do a wonderful amount of good to his own, the Swedish, people, which has certainly been greatly appreciated by them as well as those who are conversant with his life and methods.

His appreciation of humor, even at his own expense, is seen in an incident he sometimes referred to, which occurred

in his early experience at Mineral Ridge. At a certain season of the year it was his custom to buy cattle, principally what is now called "butcher stock." His first purchase of a drove was at a uniform price per head for an animal, large or small. His surprise can be imagined when in Iowa City, where he had to go for a market, he learned that cattle were bought by weight, and that an animal weighing seven hundred pounds was worth less than one of twelve hundred. Of course one lesson was sufficient.

In 1870 he purchased the general store of Jackson Orr, in Boone, and for five years carried on a general merchandise business. In 1872 he assisted in the organization of the First National Bank of Boone, and was elected its vice-president. In 1875, he closed out his mercantile interests and became cashier of the First National Bank, which surrendered its charter and was reorganized as the City Bank of Boone in 1878. On the death of Mr. Frank Champlin, Mr. Ericson became president of this bank, which position he held at the time of his death.

In all his business undertakings he seemed possessed of those traits of character which always lead to success, of which no better description can be given than to quote the last paragraph of an article which he himself wrote for the *Boone News Republican* of date May 23, 1907, under the title of "Memories of a Swedish Immigrant of 1852," as follows:

What little success I have attained I attribute to three things; first, honest and fair dealing with every man; second, refraining from speculations and investments in outside enterprises, but attending strictly to my own business; and, third, making my word as good as my bond.

In 1863 he became a Mason, holding membership in Mount Olive Lodge, No. 79, A. F. & A. M. He was also a member of Tuscan Chapter, R. A. M.; Excalibur Commandery, No. 13, K. T.; and held all the principal offices in these organizations, serving as treasurer of the Commandery there from the time of his first residence in Boone until his death.

Throughout his mature life he took a deep interest in politics, and for ten years, while still a young man, filled the position of postmaster of Mineral Ridge. He also served as road supervisor, school director, school treasurer, and township clerk. He was also alderman of Boone, city treasurer for several terms, and president and treasurer of the school board. He was an active member of the Presbyterian church, and took great interest in religious work, being treasurer and trustee for some thirty years.

In 1871 he was elected a member of the Fourteenth General Assembly of Iowa, on the Republican ticket, his opponent being Judge M. K. Ramsey. He served during the regular session and during an extra session, which was called in 1873 to revise the Code, again rendering service in the revision of the Code while a member of the Senate of 1897.

In 1895 he was elected to the Senate, where he served in the Twenty-sixth, Twenty-sixth extra, Twenty-seventh, Thirtieth, Thirty-first, Thirty-second and Thirty-second extra General Assemblies.

During his terms of office as state senator, his ability as a financier was recognized in his appointment as a member of the Committee on Ways and Means at every session, and chairman of the Committee on Claims in the Twenty-sixth, Twenty-sixth extra, and Twenty-seventh General Assemblies. In the Thirtieth and Thirty-first General Assemblies, he was chairman of the Committee on Public Libraries, and in the Thirty-second General Assembly was chairman of Constitutional Amendments and Suffrage. During the last three sessions he served on committees on Banks.

While serving in the Senate in the Twenty-sixth General Assembly he introduced a bill which passed both houses, whereby corporations are taxed \$25.00 for the first thousand, and an additional dollar for each one thousand thereafter; not, however, to exceed \$350.00 for any one corporation. This was in lieu of the nominal fee theretofore charged.

In the Thirty-second General Assembly he also introduced and secured its passage through the Senate, a bill requiring

annual fees to be paid to the Secretary of State by all corporations doing business within the State.

In the Twenty-seventh General Assembly he introduced a bill reducing the interest on state warrants from six to five per cent.

There were three things, however, that seemed uppermost in his mind; viz., the Historical Department, Public Libraries, and the Agricultural College. During the last three sessions in which he served, out of thirty-three bills introduced by him, eleven were in the interests of the Historical Department and Public Libraries, and seven in the interest of the Agricultural College; and much of the success of these departments of state is due to his untiring efforts in their behalf. Doubtless his interest in the Historical Department was intensified by his friendship for and high esteem of Hon. Charles Aldrich, its first curator, who, like himself, was imbued with the idea of building and establishing for the benefit of future generations as well as for the present. His work in the interest of the State Agricultural College was recognized by all connected with that school.

Aside from his interest in these departments, he rendered valuable service and was largely instrumental in the passage of the bill for taxing corporations, which has added largely to the income of the State of late years. He introduced a bill in the interest of good roads and might be considered one of the pioneers in this work which is now being so strongly agitated. One thing that showed the love of nature strongly marked in his character was the introduction of bills at two different times in the interest of the feathered songsters of the forest, their nests and eggs.

The appreciation of Senator Ericson and his work in our State Senate has been so well set forth by two of his colleagues, that I herewith submit their own words:

W. C. HAYWARD, Secretary of State: During three of the five sessions that I served in the State Senate, Hon. C. J. A. Ericson was a member of that body. We were both members of the Ways and Means Committee, and both lived during the session at the

Savery Hotel, and I then had an opportunity of becoming quite well acquainted with him.

He was a large man in every way, physically and intellectually. He was of fine appearance, and of the most kindly disposition. He took a special interest in educational affairs and was a firm and steadfast friend of our educational institutions. He was a careful and considerate man, one of whom it could be said that he was "safe and sane"; at the same time he was in every sense of the word "progressive," and an advocate and supporter of all progressive measures along reasonable lines.

He was mild and pleasant in manner, but, at the same time, firm and unyielding in support of what he deemed to be right.

A splendid, big, strong man. It was a distinct loss to the State he loved so well when he passed away.

WARREN GARST: My people moved to Boone in June of 1866. Almost from the first the name of Mr. Ericson became a household word on account of the prominent position he held in that community. It was not strange, therefore, when I became associated with him in a legislative way I should remember the earlier impressions I had received in the community in which we then lived. I found Senator Ericson to be a powerful force in all remedial legislation; always throwing his influence and vote in any cause he thought to be for the betterment of society. He was especially active and exceedingly fortunate in formulating plans to increase the revenues of the State from sources that would not be burdensome and at the same time would be greatly remunerative. As I remember it, under the old law any incorporation organizing in Iowa was required to pay a mere nominal fee into the coffers of the State. Senator Ericson introduced a bill that changed this and we now have had instances where very large corporations have paid many thousands of dollars in single fees.

He also introduced and secured its passage through the Senate, a bill to tax corporations through an annual fee. Senator Ericson figured that if his bill became a law it would add to the revenues of the State from \$150,000.00 to \$250,000.00 annually.

It is not my purpose to go into the discussion of this proposition as to its justice or fairness, but I was then and am now in thorough sympathy and accord with Senator Ericson's position.

While Senator Ericson was seeking every way to secure additional revenues for the State, through any of the then established means, he was liberal with suggestions as to distribution. He was anxious to see the great agricultural school at Ames become

one of the leading institutions of this character, not only in this country, but in the world. His success along this line is best attested by what this great institution is doing and is.

He always had a great interest in the history of the State, and perhaps it is more due to him and his untiring energy than to that of any other man that we have the magnificent Historical Building, which is an asset of state-wide importance, for it seems to me that no man, woman or child can visit this elegant structure without having a greater pride and a greater love for this great State.

I have no disposition to go into detail as to Senator Ericson's legislative experience. I am indeed glad to have the opportunity to say to the people of Iowa that, while there have been men who have perhaps been more conspicuous, there has been no man who has done more along material and ethical lines than the Senator from Boone.

Following is an editorial from the ANNALS OF IOWA, a few years previous to his death:

It is seldom, indeed, that an immigrant from a foreign land—unable to speak a word of our language—rises from the laboring class to such an enviable position in his new home as that so fittingly occupied by Senator Ericson. His life has been one of business success and filled with useful public labors. He has given timely aid to poor and struggling young people, especially in their efforts to secure thorough education. He has for many years been a strong supporter of the Augustana Lutheran College at Rock Island, Illinois. He is a member of the committee which has labored with much success in securing permanent endowments for the institution. It has been largely due to his efforts that valuable real estate has been acquired for the benefit of the college. In this work he has been a liberal giver. He erected, entirely at his own cost, the beautiful and commodious public library building in the city of Boone. He served one term (1872, including the extra session in 1873) in the Iowa House of Representatives, and is now serving his ninth year in the State Senate. Schools, public libraries, and the Historical Department, have always found an intelligent, progressive and influential friend in Senator Ericson. His life is a record of sterling honesty which is absolutely unimpeachable.

The Iowa Library Quarterly for July, August and September, 1910, contains this recognition of his service:

He was deeply interested in the work of the Iowa Library Association, having served as Vice-President of that body, and

repeatedly on Legislative committees, attending the annual meetings regularly. His presence will be greatly missed, as well as his advice and counsel.

Senator Ericson was a man of gentle character, with strong friendships and deep convictions. His place is not likely to be filled again in the library circles of the State or in the hearts of those whose friendship he had gained.

At a cost of \$10,700.00 he built the handsome library in his home city which is known as the Ericson Library. In 1901, by request of the Board of Trustees of the Historical Department of Iowa at Des Moines, through the Hon. Charles Aldrich, curator, he furnished a fine Carrara marble bust of himself made by a noted artist in Florence, Italy, which was presented to, and now occupies a place in the Iowa Hall of History. Possibly to his limited opportunity to attend school may be attributed his love for books, the study of which more largely than he knew supplied a deficiency in his early education. Possessed of a broad and generous nature, he wished others to share with him the benefits derived from good books.

Judge Horace E. Deemer evidently understood this phase of Senator Ericson's character, as shown by the following extracts from his address at the dedication of the Ericson Library, October 2, 1901:

It is a proud day for Boone, and a pleasant one, I know, for the generous donor who has built a monument to himself which will outlive any mere creation of the builder's art, chiseled simply to perpetuate the memory of a name.

Within the past few years at least three generous and loyal men within the boundaries of this State have made large contributions for the building and founding of public libraries; and it is my deliberate judgment that they have made the best possible use of their money. That the communities to which they have been given fully appreciate the generosity, I have no shadow of doubt; and that the people of this little city of Boone are filled with gratitude to their honored fellow citizen, Senator Ericson, is so plainly evident that it scarcely needs mention. I am not so sure, however, that any of these men fully appreciate the value and the full significance of their generosity.

In this building rich and poor alike may meet the best and greatest thinkers of the age. Wealth gives no advantage, and

social position counts for nothing. No matter how poor the boy or girl, no matter how thinly clad, no matter though the prosperous of their own town or time will not recognize them on the street, no matter though they are excluded from the so-called best society, here they shall not pine for companionship or society. Here Milton will tell of Paradise, Shakespeare open all the flood gates of the imagination, Franklin give forth his practical advice, Bryant sing of nature's beauties, Darwin and Huxley elucidate their theories, Proctor search the skies and Thackeray forget his snobbery. Here one may select his own associates from among the greatest thinkers and actors and writers the world has ever known. He may meet the most eminent statesmen and scientists, poets and philosophers of all time. As said by another, "He that loveth a book will never want a faithful friend, a wholesome counsellor, a cheerful companion, and an effectual comforter." But, better than all, here, perhaps, may some spark set fire the smouldering fumes of genius, and a flame go forth that will illuminate for all time the pages of our Western literature.

Senator Ericson's ambition to go to his native land as minister from this country, led him to enter the field as a candidate for that appointment. The strength of his candidacy because of his fitness, would undoubtedly have secured him that appointment, but for what is known as the "unwritten law" that has always existed, which is that it is regarded as against public policy to appoint any one minister to the country of their nativity.

In politics as well as in business, Senator Ericson always had high ideals which he lived up to. A notable instance of this is, when urged by many of his friends near the close of his first service as State Senator to become a candidate for re-nomination, he positively declined because of a tacit understanding between the two counties of Story and Boone that they should alternate in sending a representative to the State Senate from that district, composed of those two counties. No argument could induce him to violate that compact, and his successor was chosen from Story county.

In July, 1903, he was appointed chairman of the Scandinavian Relief Committee to assist the famine stricken districts of Northern Scandinavia, which committee was success-

ful in raising large amounts for that purpose, his services in this respect being recognized in a letter from Governor A. B. Cummins, in the following language:

The success of the plan must be credited, in a large measure, to your patriotic and intelligent labors. For this work, and in behalf of suffering humanity, I thank you.

In 1904 Senator Ericson was appointed a member of the Iowa Commission for the Louisiana Purchase Centennial Exposition. As a member of such Commission he had charge of the dairy and apiary department, and his business skill and judgment were shown to a remarkable degree, as it proved to be one of the best managed departments, especially with reference to its finances, of the entire exhibition.

On the fiftieth anniversary of Senator Ericson's settlement in Boone county, at a banquet given to his friends in the Masonic Temple at Boone, the love and esteem in which he was held by his many friends, especially those who knew him best, was brought out in toast after toast. The following extract from one prepared by Mr. C. S. Mason, who had known Senator Ericson for so many years, pays him one of the highest compliments that could be paid to a friend, and his knowledge of the man and his character and manner of life was such as to enable him to draw a most faithful picture of his worth and work:

Men often criticise; sometimes they flatter. Avoiding both, 'tis my desire to speak the truth, for he who even roughly paints a picture, using brush, or pen, or lips, should first of all paint true. In such a spirit I approach the pleasing task I have undertaken, and, happily, in this case there is little incentive to over-state the facts or over-paint the picture, for in the life and character and record of our friend, the truth is an all-sufficient eulogy. Should I say he is a king of finance, you would not believe me; should I report him possessing, far above his fellows, the qualities of great statesmanship, I would not believe myself; or, should I picture him possessed of genius, he would perhaps laugh me to scorn; but when I say that in finance he is wise and just and withal merciful, I am saying that which I suppose you now believe; and when I say that he has brought to the performance of his public duties the same test of high manhood and good intentions that

has guided him in business affairs, I am saying that which I believe will meet the approval of his conscience and win for me the smile of approbation.

Is this man wise? I know of no better test than to apply the record. Born in a humble home across the sea, he left when young the confines of the old world that he might stand upon the shores of the new, where, looking out upon a splendid age, in a splendid republic, he might search for a place where he could struggle and perhaps achieve. Fate or some subtle influence that we cannot explain, led him to locate near this vicinity, and for fifty years he has gone in and out among, and been one of the people of this community. I think it fair to estimate that in all those years he has averaged ten business transactions daily; one hundred and fifty thousand business transactions with his neighbors and the people among whom he lives, and if about a single one there is a taint, or even a suspicion of dishonesty, then has my information been at fault. Surely such a business record as this is one of which he or any man may well be proud. Not only has he gained high reputation for business honesty, but in a larger way he has achieved success in that he has succeeded first in winning the kind regards, and in more recent years, the loving esteem of a great majority of the better class of people among whom he lives. To such an extent is this true, that the people have delighted to place upon him political honors and have asked of him the performance of important political duties. Not only has he gained a high reputation for business honesty, and gained the respect of the people in all the other matters of which I speak, but during these years he has been gathering together in an enterprising way and without in the least injuring others, that which we believe to be a sufficient competency which has enabled him not only to meet generously the many, many requirements made upon men of reasonable wealth, but has enabled him in more recent years to do those things which he hopes, and which we believe, will redound to the benefit of this and other communities for many years to come. Surely such a record as I have briefly, and I trust, truthfully described, needs little comment.

Is our friend kind beyond the average man? Upon this point I have testimony, and first I will place upon the stand yourselves, and ask if, in the few or many years you have known him, there has not been some one, perhaps many, occasions, when, by kind words or some kindly act, he has won the affection of your heart and gained the confidence of your understanding. There are many witnesses I should like to call whom I cannot secure, for many of them are resting under the infirmities of old age and living quietly in their declining years in the homes and upon the farms

that the kindness of our friend has helped to secure, while many more have finished their work and made their record and have gone home to their reward and rest within their graves in different portions of this country; and, as I cannot present to you their testimony, permit me briefly to call attention to it second hand. First and last and at different times, and not by design, but accidentally or in a casual way, I have heard from the lips of at least twenty different men, the story of the help they have received from our kind friend. Some have spoken of these obligations without any show of sentiment, while others have shown upon their faces that there was within them the spirit of gratitude. If, in a casual way and without design, I have heard from the lips of twenty men of the assistance they have received from our kind friend, is it not fair to presume that there are in this vicinity, living and dead, hundreds who, could they speak to us, would add to the volume of our testimony? Permit me to take the stand myself. Some years ago our country was swept by a financial tornado, the worst financial panic I have ever known; great business houses tottered and some fell; and, while the general business interests of the country were to some extent palsied, the fierceness of the storm centered upon those engaged in the banking business, for everywhere men seemed to have lost confidence in banks and in each other; hundreds of millions of dollars of deposits were drawn from banks and hid away in stockings and in safety deposit vaults, and everywhere the depositors in banks were watching for the least sign of danger, that they might quickly pounce upon the banks that held their deposits and bring to them temporary disaster, if not destruction. At such a time as this, the business firm of which I am a member needed funds. I spoke to a banker of this town about it, and quickly, almost fiercely, got his refusal. A little later I saw our friend and spoke briefly of our needs and said, "I guess I will have to ask you for some money." He said, "How much?" I replied that temporarily two or three thousand dollars would answer. Drawing a long breath that was mighty near a sigh, and speaking in a tone of almost pleading, he said, "Keep it as near two thousand as you can." Any man can assist another when it is in his regular line of business and for his profit to do so. There are here and there some, perhaps in the aggregate many, who, upon some occasion, will assist their fellow men even though the element of profit does not attach to the transaction; but there are mighty few men in all the world, nor have there ever been, nor will there be in all the years to come those who, in time of storm and stress and danger, will weaken their own position that they may extend a helping hand to a business acquaintance. I presume the trans-

action I speak of was forgotten by our friend within an hour, for he had other important matters on his mind; but I did not so soon forget, nor have I yet forgotten, nor will I forget, during all the years that are spared me, for I thought then, and it seems to me now, it was a bright spot in the midst of surrounding gloom, and an oasis in the desert of human selfishness.

I have a grandson who bears my name. I hope through him the name may be continued; yes, in a broader sense, I hope through him the family name I bear, and which is now held by so few living representatives, may be carried into future generations where possibly it may become an honored name among the people; so I feel for that boy great interest, and I would make for him great sacrifices, if thereby I could surround him with the influence and furnish him that training which would secure for him in future years the qualities of good citizenship, and I have often thought, and think today, that if, among all the men I know or have ever known, East or West, I was obliged to select the one man of all others whose traits of character, of mind and heart and brain, and whose every quality, good and bad, the boy must emulate and at last attain to, my choice would fall on our kind friend. Surely no higher words of praise than that can I bestow.

A pebble tossed upon the placid surface of a lake creates a ripple that broadens, widens, extends until it is said there is a ripple on the other shore. A man's good deeds live after him, broadening, widening, extending, losing perhaps their identity, but working in harmony with other good influences—working on and on and on, and who shall say that these good influences will not continue to do their office in the world until the end of time?

Our friend has led a clean and manly and useful life, worthy the emulation of young men; and, in more recent years, he has been able to set in motion good influences which he hopes, and we believe, will work for the civilization and the improvement of mankind when he shall have passed away; and who shall say that the good influences he hath thus set in motion will not continue in some way, working on and on until the records of time shall cease?

Senator Ericson's death called forth many comments on his life; such as:

BOONE NEWS-REPUBLICAN: He cared for his fellow men sincerely and was always doing something for them. But he was not simply good, he was forceful and energetic. A wonderful dynamic energy held sway under a calm and quiet exterior.

His peculiar claim to genius, however, lay in his ability to succeed in whatever he undertook.

Loyal to his friends and to his city, he never had a thought that his large and growing competence made any chasm between him and his poorest acquaintance. He was a man to all men, honorable, considerate and cordial.

In another article by the same paper, entitled "A Christian Viking":

History records that his Scandinavian progenitors gave birth to the dynasty that has ruled Russia for many generations; their blood also percolates in the veins of Germany's emperor, and even in the lines of Queen Victoria, down to the young king of Britain, George V. How remarkable that in the course of human transformation throughout the ages, this bold, warlike, and often cruel, nation of men, should produce a man, who, in the walks of official and commercial life, should set an example of honor and success far above all the warlike achievements of his race and its early history.

The *Register and Leader*, commenting on his record, said:

In his business career Senator Ericson demonstrated what a poor boy, with no capital but his hands, his head and his strong courage, can achieve in this great land of opportunity. In his career as a citizen he demonstrated to what heights of loyalty and devotion to an adopted nation and commonwealth a foreign born youth may attain. In business he won every success and a bountiful share of this world's goods; in public life he was accorded the very highest distinction by fellow citizens year after year. He was a true custodian of the wealth that came into his hands, and no man in Iowa ever gave more generously and wisely of his means for the promotion of the happiness and welfare of the people. He was true to every official trust imposed in him, and he rendered his State and his country notable service as a public servant. He was true to every obligation as neighbor and friend, and helpful always to those about him.

In a letter to his daughter Lorena from Rev. Emil Benson, pastor of the Swedish Lutheran Church, Rochester, N. Y.—one of the many young men in whom he had taken an interest—we find the following:

What I am and the position I now hold, I owe to the kindness and generosity of your departed father, the respected senator, who gave me the educational start.

His former pastor, Rev. Scott W. Smith, of Cedar Rapids wrote as follows:

I have always honored him as a lover of our Saviour and a friend of man, and have always rejoiced when word came of some new benefaction which his generosity had provided in the way of school and library endowment; and his memory will always be one of my precious possessions. He was a great help and inspiration to me in my work—never obtrusive with counsel or critical in his judgments, but quietly helpful in every undertaking for the advancement of the work of our church.

The esteem in which Senator Ericson was held by his associates in travel during the last four months of his life, is evidenced by the following extracts from letters received by his daughter, Lorena Ericson, after his death, and is voiced. I am sure, by all who knew him:

PAUL S. JUNKIN, Creston, Iowa: The state of Iowa suffered a great loss in the death of Senator Erickson. The Iowa people on the "Cleveland" were charmed by his simplicity and sincerity, and impressed by his ability, and made friends with everyone because of his sterling worth. We all felt a personal loss in his death.

REV. D. E. LORENZ, New York: I merely want to add my testimony to the fact of the high esteem in which he was held by everyone on the "cruise." He spoke several times to our travelers' club held on shipboard. I, personally, had every reason to admire and respect him, and the news of his death came to me as a real sorrow. I am sure it is a noble legacy to leave behind a life so useful to his country.

MRS. CATHERINE M. KEELER, Rockford, Illinois: He contrasted the present voyage with its luxury to the one he had taken when he first came over; also described most entertainingly his audience with the King of Sweden. We surely are not justified in closing our doors to the foreigner who may prove as valuable and loyal an American citizen as your father. That he was one of God's noblemen, his will indicates.

MRS. M. JENNIE HODGSON, Chicago: I consider him one of the most intellectual men on our cruise. We all esteemed him most highly, and said "goodbye" to him with sincere regret. He talked to me many times about you, and what he had purchased for "my daughter," as he so loved to call you. "A Christian Viking"—what an appropriate name!

Senator Ericson's cherished desire to add to his extended travels the cruise around the world, referred to in the above extracts, was gratified, when, on July 30, 1910, he reached his home in Boone, having left the January previous. Taken suddenly ill the evening of August 2d, three days following his return, in spite of medical aid, he died Sunday morning, August 7, 1910. So closed the career of one whose Christian character has made the world better; one who enjoyed the esteem and love of all who knew him, and of whom it can be said, as some one has so beautifully expressed it:

“To look into some eyes
teaches us faith—
They are so true;
The sound of some voices
lessens pain
Which is life's due;
The touch of some hands
helps us live
Our whole lives through.”

JOURNAL OF A. W. HARLAN WHILE CROSSING THE PLAINS IN 1850.

A JOURNAL OF CALIFORNIA BOUND IN COMPANY WILBURN WILSON,
JAMES WILSON, MICHAEL DUST & A. W. HARLAN.¹

1850

<i>Wed May 1st</i>	left Athens Mo. 11 o'clock A. M. & camped at Irvine Wilsons. Made about 12 miles	12
<i>Thur May 2nd</i>	traveled 12 miles & camped at Wm Wriggles worths	12
<i>Fri 3rd</i>	traveled 12 miles & camped at Freezes(?)	12
<i>Sat 4th</i>	traveled 17 miles & camped 1½ miles west of Drakesvilles, one yoke of oxen ran away. snowing next morning	17
<i>Sun 5th</i>	traveled about 15 miles and camped on a branch of Soap Creek. the best grass that we have seen. a white frost & ice ¼ in next m	15
<i>Mon 6th</i>	lay by all day. The wind blew a gale and rain came on at night	
<i>Tues 7th</i>	a drizzling rain until 9 o'clock A. M. we then started. the wind blowed brisk & cool. traveled over beautiful rolling rich prearie. took the left hand at Dodges point. went three miles further and camped at the goose pond on Chariton. rained at night. made 23 m. frosted	23
<i>Wed 8th</i>	we traveled 12 miles over beautiful rich prearie & camped on a small branch of Chariton. grass scarce a white frost next morning and all the mud on the waggon wheels froze hard	12

¹Aaron Word Harlan was one of the best known pioneers of south-eastern Iowa, having arrived at Fort Des Moines (now Montrose) as a servant in 1834. Engaged in merchandising at Keosauqua in 1837, settled on the Half Breed tract and acted as the local agent of Charles Mason, emigrated to California during the gold rush, served from the day of the battle of Athens when he was fifty-one years of age for nearly four years in the Union Army in the Twenty-first Regiment Missouri Infantry, returned to his farm near Croton and remained an active participant and intelligent witness of events until his death in his one hundredth year on the 30th day of April, 1911.

- Thur 9th** traveled 10 miles and stopped on the open prearie. boiled the tea kettles with rosin weeds. 10 o'clock at night all our cattle broek from the waggon to the N. W. we stopped them in good time. cold North wind at night, slight frost 10
- Fri 10th** we traveled about 12 miles on the main road to Garden Grove then went 4 milles of from the road down the creek to find grass for our cattle 12 here William Allen of Lee County Iowa turned back & Alfred Allen joined Lapsleys crew, put in two yoke of oxen making 5 men and 6 yoke of oxen to one waggon
- May Sat 11th** took up a ride without any road. in about 5 miles struck the road and traveled 20 miles & camped on a small stream that I supposed ran into the Des Moines, Squaw creek of 3 rivers, roads dry and dusty—a strong wind all day from the N West 20
- Sund 12th** grass being scarce we yoked up & traveled about 3 miles, fell in with Hines. stopped on a small brook. The grass rather poor. we will keep the sabbath the ballance of the day.—But Lapsleys team came along and we followed on about 10 miles further in all. 13 m to day & camped on a small branch of Grand river 13
- Mond 13th** this day our road lay over very rolling prearie the points thin and almost covered with red granite even where there had been no wash. we made about 7 miles headway though we have traveled 10. passed through Pisgah, a mormon settlement on one branch of Grand River consisting of some 50 or 60 miserable huts & turned down the river about a mile to graze. weather hot roads dusty & grass wilted 7
- Tues 14th** we took the plainest road. it had been made by teams turning off for grass—though it was the wrong road—we lost 4 miles by it. our road today lay over very rolling though rich prearie. a great many teams in sight winding over the prearie hills and looking over this vast expanse of prearie & beholding the energy of our people I look forward to the time that it will all be subdued, fenced with wire and hedges and every

farmer will have his own chemical apparatus—
and with a little manuel labour—burn water for
fuel—we have crossed the last branch of Grand
river—made— 13 m

Wed 15th

To day our road has been over gently rolling
prearie, the swales deep & muddy the axels of
the waggon often dragging in the mud. seaps or
springs along the sloughs—stock water will al-
ways be plenty and good both winter and sum-
mer. wells could be got anywhere almost. trav-
eled 20 miles and crossed one branch of the Nod-
doway River and turned of a half mile and then
drove to grass in 20

Thur 16th

we left our encampment on the East fork of
Noddoway. crossed the middle fork in 5 miles—
and in 15 m more encamped on the west fork.
20 miles in all 20
rolling prearie, rich sandy soil, water plenty,
grass growing better. The wind blew a hurri-
cane all day. the dust flew like the prearie on
fire. the wild plum bushes just in bloom. one
of our oxen was snake bit in the morning. an
old settler says there has been no rain for 6
weeks

Fri 17th

this morning our snake bit ox was to lame to
carry the yoke. we therefore had to drive him
single. we left the Noddoway, in about 7 miles.
crossed a branch I supposed to be the Nishna-
botany. in 9 miles further we cross quite mill
stream—The E F of Noddoway. here we fell in
with the travel from Raccoon—forty waggons on
sight at a time. went 2 miles out in the prearie
& camped. traveled in all about 18 miles 18

Sat 18th

we left our prearie encampment, crossed several
small streams and the west or main branch of
the Nishnebotany, then went 2 miles out in the
prearie to camp—in all— 18 m
The wind blew strong from the North. here an
old settler says there has been no rain for 7
weeks—very dusty. Rich rolling prearie, water
plenty—seaps or springs along all the branches—
danger of cattle mireing

- Sund 19th** this day we crossed several small streams—Silver creek, a few mormons liveing there—traveled about 15 miles 15
rich rolling prearie, water plenty—today we saw the Missouri River and those peculiar knobs of clay on top of the hills either eaten or washed into irregularities hard to account for. a hot day, strong S. W. wind. a great thunder storm at night. camped on keg creek
- Mond 20th** we wound our way through Carter town among the hills then through Kaneville and 8 miles more to the bottom—in all— 15 m
Those bluffs are fertile and of Plutonian mechanism, in fact miniature mountains from 100 to 300 feet high covered with grass and a few trees in the sheltered places, affording a beautiful prospect. today has been cloudy & chilly with a strong east wind. we are now here at the upper ferry to the Bluffs. crossed Musquito creek. There is no good grass within three miles of Kaneshville on either side
- Tues 21st** to day we have all lay by waiting for Henshaw & Rollins. we are not yet organized into a company. I have spent most of the day wandering over these Romantic Bluffs
- Wed 22nd** we waited for Henshaw until 10 o'clock, then went to the ferry 4 miles. by being late others crowded in and we have had to wait another day by so doing. we are not yet organized. we have had a great rain at night and continued until after 8 o'clock this morning, high wind from S E 4
- Thurs 23d** it was afternoon before the ferries were in operation. our company crossed over, traveled 6 miles to a good camping ground, wood and plenty, grass better—fine rolling prearie. a strong S E wind all day 6
- Fri 24th** To day we crossed Pappau creek at noon, 15 ft wide, and ferried Elkhorn. in the afternoon went $2\frac{1}{2}$ miles and camped on a small creek. traveled about 20 miles 20
in the forenoon those cones near the Missouri on our right were in sight some distance, bearing a resemblance to the Bluffs—fine rolling prearie—well watered—we are now on the main plat

[Platte] bottom—a brisk south wind to day, all hands cheerful. we now consider ourselves fairly on the way for Callifornia

Sat 25th

our road to day has been level though some of it quite muddy. we are now going up the bottom of the Big Platt from 5 to 8 miles wide, mostly very rich but some of it sandy and some of it to wet for cultivation. on our right several miles the highland rises gentle & beautiful prehaps 80 or 100 feet high in all, but straight ahead there is seemingly no end to dead level. a part of the time [to]day there has been timber on our left near the river and ridges of sand among the timber some 15 to 25 feet high, evedently thrown there by the water of the Platt, also some considerable ridges of sand out in the open prearie. The Platt is a moving bed of quick sand of all depths, & width from $\frac{3}{4}$ of a mile wide to less than 200 yds, with banks from 3 to 5 feet high. several pools or little lakes near the river on our left we have organized into a company at last

16 m

Sund 26th

To day we have traveled about 18 miles & saw a Pawnee village on the opposite side of the River—the land and grass both good. weather pleasant and camped on shell creek. it was very high & we pulled our waggons over by hand 18

On our left rolled down the mighty Platt

A broad sheet of turbid waters

And still beyond were hills and vales

The home of the Pawnee daughters

On our right stretched forth an extensive plain

As level as the ocean

The Bluffs beyond, the mirage between

The hills all seemed in motion

And in our front was an open space

With full scope to the vision

Here in the center still rolling ahead

Was our split log division

Mond 27th

to day we have traveled about 18 miles and encamped on a clear lake near the Platt. this morning we had another great storm of rain & thunder. I waded through water near $\frac{1}{4}$ of a mile. cold N W wind in the afternoon. Last night I mounted & stood guard for the first time—very cold this morning

18

Tues 28th

we traveled 3 miles to the Loup fork of the Platt & ferried, then went up said stream 6 miles & camped on the banks 9 m
 it is generally 5 or 6 hundred yards wide, filled with very white quick sand and snags. the water much clearer than the main Platt. the Bluffs back are evidently diminishing in height. The sand banks show that this stream occasionally raises to a wonderful height

Wed 29th

we still traveled up the Loup about 25 miles with a succession of sand hills on our left from 30 to 50 feet high, consisting of single cones and ridges of white sand with some flats and pools between. there is a similar ridge of them on the main Platt from 40 rods to 2 miles wide, then there is a rich valley of land between them in shape resembling a sad iron. on the north of the loup the hills at a distance appear to be clay with a few scattering oak, the first in 100 miles 25

Thurs 30th

to day we have traveled about 22 miles between the Loup and Main Platt, sometimes very sandy, some wet land and soome gentle rises of almost pure sand and a good deal of good land. high sand hills on our left hand all day. to night we are encamped on a considerable flat of good clay soil but lots of sand down about 4 feet. the high lands north of the loup are visible but not a single stick of timber. we drink water out of a small puddle full of wiggle tails 22

Friday 31st

late last evening Wm Freeman & McCown came in from hunting and reported a village of Préarie Dogs near by. next morning it was the wish of many of [us] to see them. we went and killed several. they seem to feed on grass and roots. we have seen many antelopes but as yet have killed none. yesterday and to day we have seen many Buffaloe trails—from 5 to 15 paths side by side very straight and worn deep into the ground. as yet we have not seen any Buffaloe. we traveled west for some 5 miles, then struck the Mormon track, then South West some six miles all through sand hills. we then struck the flats near the Big Platte. I could not see south of the river but at 5 o'clock P. M. the sand hills on our rear were invisible and E. W. and N. as far as the eye

could extend it was almost a perfect level of rich black dry though rather sandy soil. we are encamped near the Big Platte. Grass is very good. I saw yesterday where some emigrants had been mowing. traveled 22 m

Sat June 1st

we traveled up the Platt near the timber and are camped in the edge of the timber. have made about 16 miles headway. in about five miles we crossed Wood river, a pretty mill stream. I have seen great quantities of the sensitive plants to day. there is a flat or low bottom near the river subject to overflow, then the land rises gradually—sometimes abrupt about 20 feet. generally rich sandy loam from 20 inches to 3 ft deep, then gravel below though sometimes clay on the surface. in short I have this day seen the largest body of good land that I ever saw resembling the second bottoms of the Miami or Whitewaters in Ohio and Indiana. The Bluffs in the north are barely visible about 10 miles distant but whether clay or sand I am unable to say 16

Sunday 2nd

to day we have all hands laid by & overhauled our loading. in ours we found all right excepting about 10 lb of bread on the lower side of one sack. done up some washing and John Gray killed a hare. some of the other companies killed Buffaloes in our neighbourhood. this is keeping Sabbath after a manner on the first of the week instead of the seventh as commanded

Mon 3rd

Started early and had not proceeded more than a half mile until a loose horse of Mitchells came galloping up and frightened a Mr. Mendenhalls team. they started to runaway—their running and the rattling of the waggon started others—it became contagious and in half a minute nine teams were under way. old oxen that had never runaway before sprung to it like quarter horses. we stopped them after a time, all well excepting Bennings team—another team run against them and knocked down three oxen. one of their horns stuck in the ground and broke his neck. two others slightly injured. the land has been generally very good, the second bottom from 5 to 8 miles wide. a considerable scope has been incruised by salt, salt-petre, copperas, etc. and lit-

erally torn to pieces by Buffaloes. quite recently we passed through a succession of prearie dog villages & one city. we have traveled about 20 miles to day & cooked our suppers and breakfasts with green willow brush. rained hard all the afternoon & most all night 20

Tues 4th

The width of the valley is materially deminished, prehaps six miles wide here, a portion subject to overflow. we have traveled about 14 miles and camped on elm creek near the head of Grand island. this afternoon about 2 o'clock it commenced raining hard and has poured down with but little intermission in perfect torrents all night. the cattle were very uneasy all night requiring additional guarding. a double cover on the waggons but partially answers the purpose—our bedding all wet and some of our provisions also. five of our men went out on a Buffalo hunt & killed one poor little cow too poor for use, they were caught in the rain storm and did not reach our encampment until 11 o'clock at night. the little creek on which we are, raised about 9 feet perpendicular. there is no end seemingly to the prearie dogs 14

Wed 5th

we have had a drizzling rain all day & consequently laid by. there are several varieties of Prickley pear in this vicinity (and to me) new kinds of grass, weeds, etc. There are many dead Buffalo scattered over the plains. Some of them appear to have died from poverty and some have been shot for amusement

Thurs 6th

our cattle were inclined to Stampede so we rolled out early, went 6 miles to Dry creek. it lacked only nine feet of answering to its name, with a swift current. we set stakes & stretched ropes & chains across & built a bridge of willow brush, rolled our waggons over by hand, swam our teams across. by this time there was 60 other waggons waiting. we loaned them our chains, ropes & bridge & left. the running of a horse to day made 4 teams runaway—no harm done. we could not get to the old road for sloughs but have traveled about 12 miles through water & grass and camped in open prearie without any thing to raise a fire this morning 18

- Fri 7th* The country maintains its beauty in the valley here from 6 to 10 miles wide. the hills are getting more sandy. there are but few flowers in bloom. the plains are filled with men hunting stray cattle—almost every company have had stampedes & many waggons broken 22
- Sat 8th* to day the sand hills approach much nearer the river. the country is getting poorer and more broken. there is only a few scattering trees along the Platt. the vegetation is all new to me. we have traveled about 20 miles, camped in the bottom 20
- Sund 9th* this day we have [travelled] about 22 miles through poor country. here the Platt is about as wide as the Mississippi at New Orleans, but very shallow. by the Mormon guide we here expected to find the last timber but all had been used up by others ahead of us so we must go about 200 miles without any provisions cooked up yet all hands are cheerful 22
- Mon 10th* This day we have traveled about 21 miles & crossed the North Bluff fork for 50 yds wide. the bottoms low & wet, the hills all sand & broken. this morning our hunters came in loaded with Buffaloe meat and we have all been feasting on it. they report haveing seen many wild horses, generally fine steeds, one especially a black stallion, as something extra he came near them at first then left with the speed of the wind. those sand hills are almost covered with Buffaloe, horses, antelope, Hares, wolves, lizzards & terrapins and could be made to produce cottonwood & Black locust timber 21
- Tues 11th* To day the Platt has looked more like a common river running alternately from Bluff to Bluff, the bottoms generally low and wet. Our road has been mud and sand hills, the sand frequently six inches deep. traveled about 21 m
- Wed 12th* This morning a large herd of Buffaloe were quietly grazeing in the bottom near our encampment & others on the hills. on the south side of the river there is a lime Stone Bluff (the first rock I have

seen since we left Pizgah in Iowa) There was a respectable number of cedar trees growing among the rocks. The country here changes its appearance. limestone appears on the north side, the Bottoms high & sandy. the river is much narrower, say 600 yds, with but few islands. this evening L. B. Mitchell & Wm Phillips came in loaded with Buffalo meat. I saw roses in Bloom. we have traveled about 20 miles

Thurs 13th

to day we crossed Castle Creek 50 yds wide. the bluffs on the S Side of Platte still continue rocky with a few scattering cedar bushes. the rocks show on the N side occasionally. we passed the Noted lone tree, a large cedar with most of the limbs cut off, the body much mutilated with names cut and penciled. one island with cedars of good size growing on it. I dally take my sack to gather Buffalo chips as the Israelites did the Manna. Grass is becomeing very poor. traveled 19 m

Fri 14th

I examined the rocks on the N Side of the river, found some bastard limestone but mostly soft sandstone scarce deserving the name, all of them worthless as the land around them. this evening some timber appears on top of the bluff south side, probably pine. the road for the last hundred miles has been strewed with wagon irons, cooking Stoves etc. traveled 21 m

Sat 15th

this morning I left camp before the teams to take a ramble over the cobble hills. they consist of cones of rocks of various kinds almost covered with gravel & sand and look like they were one hundred thousand years old. the word desert would form but a poor Idea of their Sterility, yet there were many flowers blooming among them. I had a view of chimney rock some 20 miles distant. (it was 33 miles) I saw several Bumble bees but no honey bees. I also saw the largest ants by 1-3 that I ever saw, also saw a new species of ant with heads & jaws 3 times as large as usual. they always carry gravel instead of dirt. we have traveled 19 miles to day & camped on the river bank among good grass 19

Sund 16th

we have kept Sabbath most of the day and traveled this afternoon 10 miles and are encamped in full view of chimney rock so often described. the country at a distance has quite a broken appearance. there are many isolated masses of rocks in sight in the South at great distance. resemble the ruins of splendid edifices and as we travel they gradually change their resemblance from one building to another. we have tolerably good grass to night 10 m

Mond 17th

This morning as the fog had partially cleared away we had a splendid view of a group of isolated rocks some 23 miles west of us representing a magnificent city in ruins with streets and all its appendages. when the fog had entirely cleared away they were out of view for some miles, then in sight again. distance lent enchantment to the view but now we are near them they an ugly mass of ill shaped rocks. Phillips horse got the saddle under her belly, broke and run, frightened the oxen and seven teams ran away at once. we traveled over some midling land this afternoon. traveled about 20 miles & camped in good grass 20

Tues 18th

we have traveled our 20 miles, passed Scotts Bluffs. the weather in morning very cold, rain, hail and snow. at 1 o'clock very hot. rain in the evening. miserable poor country except where the ground is nearly level with the river and then the grass is good. some few willows now begin to appear on the islands. even here log chains are not worth picking up, our company having passed four of them & left them lying there 20

Wed 19th

to day we have passed many sand hills on our right, totally destitute of vegetation, very soft. white & clean. we have passed many cottonwood stumps but no timber. the Black hills are now in full view. we have I might say no grass to night.

The rugged Black hills now rise in view
Beyond are snow capped mountains
We'll leave this desert to welcome you
For sake of your cooling fountains 19.

Thurs 20th

To day we have traveled about 11 miles and camped near fort Larimie on the opposite side of the River. scarcely any grass. the ferry has been cut loose & lost. on tomorrow they expect to have a new boat in operation. there are pretty conclusive reports of cholerea on the S Side of the River & at the fort. there are many waggons near and hourly increasing—many have gone up the river to try finding a new route, we have had a severe rain & hail storm to day

14

496 m

The Mormon guide makes the distance 522 miles

496

26 miles

less by my reckoning (we saved some in ferrying loup fork)

Fri 21st

we are still lying by waiting to ferry. they are very slow about business. The Platt here is about 400 yds from bank to bank, pretty well filled with isleands. runs I should think 12 miles an hour at this stage the bars are cobble stones yet move about like quick sand

Sat 22

I strolled about 3 miles from camp on to a high peak to view the country hereabouts & the black hills in the distance. every thing except the gar-rison buildings looked dillapidated and time worn. we have run the ferry all night & crossed 6 waggons before our 15 which makes 21 in all. distance about 250 yds over 12 ft water, a current of fifteen miles an hour, and but few of us have closed our eyes. we are at fort Laramie on sunday morning June 23 our cattle yet to swim

Sund 23rd

left Laramie, traveled over four ridges in 10 miles, came to a cove, or sink of considerable extent of tolerable grass. went on to the warm springs & camped & drove our cattle back to the cove. the guard went to sleep and lost 80 head of them. we have found all of them again. These warm springs are in the bed of a dry creek it treaks up in white sand and runs of quite a creek it is but little warmer than river water

12 ?

Mond 24

we left the warm springs, traveled over a country of cobble hills, crossed the beds of several dry streams, found a little of stinking water in Bitterwood creek so named from a species of willow growing there in abundance. we made a prearie encampment, no water. traveled about 20 miles. this morning the weather was clear and warm. at 10 the fog commenced accumulaeing on the top of Laramie peak and soon grew to a thunder storm. this is the first time I have seen the sight. the grazeing very poor. 20

Tues 25th

This morning we left early, went seven miles to horse creek. found plenty of good water, grazed 2 hours without grass. yoked up and went 18 miles further to Labontea creek, then drove the cattle 1 mile down the creek to some grass, (water good). the road has been horrible bad to day. the clouds hung on laramie peake nearly all day. at 3 o'clock in the afternoon the sun shone out, we had a splendid view of the hillyes country entirely all in beautiful confusion. to day we found the horns of the mountain Sheep and also the mountain goat. elk horns are becoming plenty—we had seen but few since leaveing the Council Bluffs. our whole days travel 25 m

Wed 26

To day we lay by all day. the hills in this vicinity present pretty conclusive evidence of haveing at sometime been burned and am of opinion that it is from such places in times of great rains and of overflowing the bottoms has left the deposites of alkalle along down the Platte. the country here is more clayey than heretofore, the foundation seems clay. the cobble stones seems to have been washed on when submerged by water then the hills raised by Plutonian agency. there are ma[n]y old dead trunks of pines & old pine trees and scarcely any young pines or cedars

Thurs 27th

we traveled over very broken country yet we wound our way through almost miraculously. crossed the Alaprelle, a pretty stream, water plenty, & went about 1 mile out to camp, grass poor. travel 20 m

Frid 28th

To day we have traveled about 18 miles. country poor and broken in this vicinity. the crickets are quite plenty. this morning I gathered a handful of the blue bloomed perennial flax, quite plenty. artimesa makes its appearance. we crossed poosh bosh creek. we are camped on deer creek

18

Sat 29th

we have traveled about 18 miles, tolerable road, no grass scarcely. crossed crooked muddy creek true to its name. our cattles feet are much worn out. we have but two yoke able to work in our team. W. Wilson has now been quite sick for two days—getting better

18

Sund 30th

To day we have come eight miles to the upper ferry on the Patte and are all crossed over safe at \$3.12 per waggon, our cattle still to swim. we now find that we have been swindled in the most rascally manner and that the officers of the garrison at Laramie are concerned. we have come the longest & worst road on the poorest feed and poor prospect ahead for 50 miles. we have all agreed to write to others coming not to cross the Platte at all hereafter. no cholerea on the road now

8

*Monday June
[July] 1st*

I looked around on the wreck of waggons & other property. it gave me serious reflections. by noon we had swam our oxen all over safe and was on the march. our road lay over a high barren country of sand. at 4 o'clock I went on a high point to our left & had an extensive view of the desert around us. some 80 or 100 miles N. W. there were high mountains and seemed to be capped with snow we went 12 miles & took a cup of tea, then went on all night. I walked day and night ahead driveing the loose stock. I counted 4 disabled oxen yet liveing, 14 that had died recently & 2 horses, besides old carcasses. here I immagined I saw the tracks of the Elephant but my eyes were literally filled with dust and sand so I could scarcely see the loose stock. we are here at the willow springs. our day & night travel amounts to 29 miles

29

Tues 2nd

we browsed our oxen on wild sage & rue until noon, then drove 6 miles to a small branch. no grass at all though there has been some. our cattle

have nothing to eat. dead oxen are to plenty to count any more. I suspect the deaths are mostly occasioned by drinking alkalle water 6

Wed 3rd

we yoked up our famishing cattle & made about 10 miles headway, then turned back to our left $1\frac{1}{2}$ miles to a spring of good water, then drove our cattle 2 miles further to poor grass— the sand has been generally about shoe mouth deep. we passed the salaratus lakes. they were most of them dry leaveing an incrustation of salaratus on the ground & those nearly dry had a crust on top of the water resembling new made ice very much 10 I had neglected to say we are now among the spurrs of the Rocky mountains. they are large Isolated Masses of granite interspersed over a sandy plain with seams running in every direction. I have just returned from the top of one about 1000 feet high. on a bench half way up there was round pebles like a lake shore peble showing that they had been washed by waves. near their bases there is great quantities of burnt or scorified granite showing plainly that they are all from plutonian agency

Thurs 4th

This has been an eventful day with us. there was a little difference originated between J. J. Benning & Allen of Chequest about the camping ground last night. we yoked up our teams this morning & started, Benning & Mitchell remaining behind, 5 waggons. the rest came on to Independence rock. I left the loose stock and ascended. reached the summit at precisely 12 o'clock. Just half way to Callifornia and the middle of the 19th century. I looked at thousands of names but did not see Mr. Freemonts, but I did see my old friends name, J. Ralston, June 21st, 1847. we then forded Sweet water. the captain then told us the company was dissolved. we parted like brothers, divideing out into small companies in order to procure grass for the oxen. we associated with Mr. Lawrence, Ramey & Robinson from Utica, V. B. Iowa. the morniings are warm, the afternoons very windy & clouds of dust aflying. we passed the devils gate and have mad about 13 miles headway 13

- Frid 5th* This morning we lightened our load by leavelng 2 axes, 1 chain, 1 yoke, some rosin, some bedding & other things & mad a cache of our pork and have traveled 8 miles & camped on the bank of Sweet water below the narrows. this is the land of game—Elk, antelop & sage hens all in sight. Wilburn Wilson killed a fine Antelope. late in the evening we saw at about 2 miles distance 2 steal and runaway with 7 horses. 8
- Sat 6* To day we have traveled about 20 miles through hot sand 3 to 6 inches deep, and camped on the bank of Sweet water. the grass on the plains is thin and dried up. on the low land near the river it is about 1 inch high and looks as bare as a Kentucky goose yard 20
- Sund 7th* To day we traveled about 15 miles fording Sweet water No 2-3 & 4. at No. 4 we found gold dust in considerable quantities though very fine. at 1 o'clock we turned to the left round a mass of rocks and at once had a splendid view of the Wind River mountains, the same I saw capped with snow glistening in the sunshine. we camp on Sweet water, grass short though the best we have had in a week 15
- Mond 8th* This day we have traveled 22 miles over deep sand and gravel. the weather is cold as November, the wind blowing a hurricane. the air is filled with flying sand & salaratus. we passed two salaratus lakes complete incrusted with masses of salaratus. we again camp on Sweet water, scarcely any grass 22
- Tues 9th* This morning there was frost. a gentle Breese from the S W has blown to day. the weather pleasant. our road has been very rough to day. at the crossing of Strawberry creek there was a long bank of snow ten feet deep and Straw berries in bloom within a few feet of the snow drift. grass short 18 m
- Wed 10th* To day we have traveled about 10 miles & then off from the road three miles to graze on Sweet water near the mountains. there is plenty of snow along the bluff banks of the creek. we are now along side of a mass of Snowy mountains on our right. they are the same that I mentioned

twice before. I first saw them 145 miles distant. to day the wind has blowed hard, our eye are filled with dust. we are now in tolerable grazeing. all hands cheerful. my own feelings seem to [be] regulated entirely by the quality of the grass around our encampment. The Sweet Water is a small stream kept up by melting snow, generally 60 to 80 feet wide—the valley about 10 miles wide, almost entirely a sand plain, the low bottoms from 20 to 80 rods wide, well set with short dry grass that is certainly as nutritious as our blue grass. the N. side of the mountains that are on the S. side of the river are pretty well timbered with pine about half way up the stream, then the is nothing but bar cobble hills 10

Thurs 11

white frost this morning, forenoon warm, afternoon windy. there are many pretty flowers in bloom. we have laid by all day & doctored and grazed our oxen. our elevation is so great that the rays of light from the sun are visible all the night. horned toads are plenty

Frid 12

more frost. we left our encampment late in the day & crossed through the pass. this appears to have been in some age of the world a mass of lime stone interveneing between the granite formations & the whole has been burned. the lime has gradually leached away & settled down, forming these salaratus lakes & alkalle water & furnishing the material to support the coral insects & build up the reefs of florida and the west indies. about the Pacific Springs the ground was literally strewed with dead cattle & horns, say 100 within 1 mile. we traveled about 25 miles and camped on Little Sandy—there has been grass, there is none now 25

Sat 13

we yoked up our starving oxen, went 8 miles on to Big Sandy and then drove them 8 miles back to grass towards the mountains. the country is a desert that has been all burnt over, leaveing occasionally Butes of calcined clay, elevated about 60 to 80 feet above the usual sand plain. there is nothing to indicate the presence of a running stream. they have narrow winding channels through the sand plains 8

Sund 14th

at 12 oclock M we rolled out, our oxen not quarter filled. we went on untill near sunset, rested 1 hour, then 1 hour at midnight and 1 hour at

Mon 15th

sunrise, then rolled ahead. at 12 M we reached Green river making in all 53 miles in 24 hours without feed. this is going on the atmospheric pressure principle, and that all through light dust about 3 inches deep, as light as flour and at times entirely hideing the whole teams and filling our eyes & throats, and scarcely any grass here. poor prospect ahead 53.

Tues 16th

we left the ferry at 12 M and drove 8 miles S W on to a creek where there had been grass (none now). graves wer quite thick and ded cattle everywhere. I made soop from the washings of a number of putrid carcasses. the alkali is very thick here and Elephant tracks have been growin more plenty for the last 300 miles 8

Wed 17th

we have spent most of the day hunting grass & have found some at a considerable distance from the road on the same creek. alkali is very plenty. we have made about 6 miles headway 6

Thurs 18th

To day we have laid by (our fare is changed) good grass for the oxen and we have fine smooth gooseberries for sauce, nearly ripe, & cool water to drink from the best of medical springs (sulphur & oxide of iron) James Wilson is sick

Frid 19th

To day we reached the Mountain side at 12 M. cool springs are plenty here. we saw a new species of pine & columbia root. The Butes in the S pass are still visible, say 90 miles distant. The roads are dry & dusty. we have traveled about 20 miles the grass is very scarce, at a distance from the road. we have again fell in with Benning, Mitchell & company 20

Sat 20

This day we have traveled about 18 miles. the road is as rough as can well be imagined. we nooned on a large creek. there is many groves of quakeing asp along here & some small spots of good soil but the climate is to cold & dry, yet vegetation seems to flourish. the snowdrop is now in bloom & many other pretty flowers and banks of snow all about, above and below. we are near the

summit east of Bear River. the best of water & grass midling. we had this afternoon a fine shower, a strange occurrence here 18

Sund 21st

This morning at 7 oclock the musquitoes were most voracious. we left at 8. we passed through a dense grove of fir & quaking asp & soon reached the summit. we had a glorious view of a mass of clouds below us in the Bear river valley. they soon cleared away and gave us a full view of the valley. here some few thousand years ago no doubt was a vast chasm of lake that burned with fire and brimstone. then it was a horrible pit of mirey clay and poison water. there is some mud and alkali yet but thousands of acres of good land well set in grass resembling our blue grass but more nutritious. such is the changes of time it will now soon be the home of the Sheep herd and the finest flocks in the world. traveled about 16 m

Mond 22nd

we left our encampment in Smiths fork of Bear River and traveled about 6 miles & stopped to graze. the Straw Berries are scare but ripe. some service bushes, the fruit green. musquitoes are very bad. we caught a few Speckled [] from Bear River 6

Tues 23rd

we went 6 miles & stopped and razed our wagon bed $3\frac{1}{2}$ feet & coupled up shorter, then went 14 miles over the worst of mountains. crossed many pretty rivulets. the mountains have a tolerably smooth surface pretty well clothed with grass and if there was timber here this would be a desirable country. as it is the scenery is most delightful. we are again on the banks of Bear River 20

Wed 24th

we left our encampment near Big timber & Great Bear Lake. the lake is but a goose pond. the Big timber is few Bitterwood 1 foot in diameter and about 40 feet high. we have traveled 16 miles & crossed many pretty mountain Brooks and eat yellow and red currants. the yellow are tart and tolerably good, the red are puckery & poor things. the weather is pleasant and the scenery delightful 16

Thurs 25th

To day we have traveled about 18 miles down Bear river. the Bottoms are not so handsome but there is a fair supply of timber near the top of the mountains 18

we here met with a caravan of Americans, French half breeds, Indians, of two or three kinds, with mules, horses, oxen & wagons—squaws and white women, with a portable government forge, some government waggons, and no two could give the same account of themselves. in short they was a pack of whores, rogues & robbers, about 50 persons & 100 horses

Frid 26

This day we passed the celebrated Soda Springs So often described by others, here was another motley crew. we have taken the fort Hall road, traveled about 15 miles and are camped at a big soda spring

Sat 27th

To day we traveled about 9 miles in the forenoon & laid by the ballance of the day on account of Mr. Lawrence being sick. our course is to the N. W. up a valley of some 6 or 7 miles in width in which there is several extinct craters of volcanoes that appears to have bursted up after the general burning of the country had ceased. there is considerable portion of the valley quite rich and produces a considerable quantity of flax spontaneously, blue bloomed and perrenial. the grazeing is good, water plenty 9

Sund 28th

To day at 1 o'clock Lawrences waggon was up set in 3 ft water in the Bear river valley. at 6 o'clock we passed the ridge and had a fine view of the valley of the Columbia. this evening we are camped on its waters. we have traveled about 18 miles, water plenty, grass midling 18

Mond 29th

This day we have traveled about 18 miles. the road is pretty level but the dust is from 1 to 6 inches deep with the exception of small portions of coarse grass near the creeks. all the rest is dried up and looks as bad as the grass does in Iowa in the month of November 18

Tues 30th

This day we have traveled about 16 miles passing Fort Hall. it is situated in the middle of an extensive plain near the Junction of several small streams with the main branch of Lewis River.

it is all mud even to the roof. we stopped in the evening as usual but the mosquitoes were so bad our cattle became so uneasy that we yoked and traveled two miles to where they were not quite so bad. M. Dust & J. Wilson are both getting about 16

Wed 31st

The first thing this morning was to raise all our loading on top the waggon beds & cross Raft river, some 50 yds wide. we crossed all safe, then went about 100 yds and down steep bank into a mud hole. our load being on top all slid forward into 1 foot water & deep mud below. lost part of our sugar. the rest all muddy but not seriously injured. the dust has been horrible to-day. we have traveled about 17 miles 17

Thurs Aug 1st

after one mile travel we came to the American falls of Lewis R. here the river is nearly as large as the Des Moine. it is precipitated over and through a ledge of rocks, falling about 40 feet in 100 yds, dashing the water into foam and forming the rainbow above and still a succession of Rapids for several miles below. it is a splendid sight. traveled about 16 m

Frid 2nd

Today we have left Lewis River and traveled about 11 miles and camped on Cassia Creek. the grazing eat out. we lay by on this afternoon on account of Lawrence' sickness 11

Sat 3rd

This day we moved up the creek about 3 miles and laid by and grazed. the weather is very hot. the roads is extremely dusty

Sund 4th

Today we have travelled up the creek 14 miles and found a large scope of excellent grass and laid by this afternoon. here we found the Henshaws of Missouri and Beckley and Millers of Bonaparte and have spent the afternoon in visiting one another. all feel quite cheerful and sanguine in getting to Callifornia somehow or other. J. Wilson is now well again and Mr. Dust is well except the sore eyes 14

Mond 5th

after traveling about 9 miles this morning our road was intersected by the Hudspeth Cut off and we find that we have lost no time by going by Fort Hall and our teams are in much better con-

dition than those that went the cut off. we are among the mountains this afternoon again. our days travel will be about 18 miles 18

Tues 6th

This morning we left a small creek, the waters of Lewis River, and went over a ridge of moderate elevation easy of ascent and descent and took our nooning on a pretty branch that runs into Salt Lake. here is small portions of land susceptible of cultivation. there are a few scrubby Cedars from 6 to 10 feet high on the mountain sides and small parcels of snow— This afternoon we have been among Rocky Mountains worthy of the name indeed, Stupendous Magnificent and Sublime! our road is good, seeming to wind its way through Merracalously and we have traveled about 23 miles 23

Wedns 7th

This morning at 9 o'clock when on the summit of a mountain I had an extensive view of a broken Mountainous country far to the west, and still beyond at a great distance I saw an extensive range of snow capped mountains looming above the rest and glistening in the sunshine

(I have left a blank to fill hereafter) we are encamped on Goose creek. I suppose it to be a tributary of Lewis river. our road has been extremely rough, our days travel about 18 miles 18

Thurs 8th

we nooned on Goose creek on short grazing, then rolled on through a narrow chasm in the mountain side of scorified basalt piled up in high masses on either side. then we came into an open pass. got some supper at night and then rolled on and came to some large springs at night. there was no grass and we still rolled on until 2 oclock in the morning and stopped, making in all about 33 miles and no grass yet 33

Frid 9th

we still drove on 7 miles and then 2 miles off the road to a patch of wild rye but no water. we then drove 9 miles more and have good grass and water tonight. there has been about 100 waggons jammed close together today 16

Sat 10th

Today at 11 o'clock we passed the far famed boiling springs. they are quite hot indeed but the boiling is produced by the escape of gas. they are all abot over near an acre of ground, sending off

a considerable stream. they are situated in a valley of considerable extent known as the Thousand spring valley, yet water is scarce. it soon sinks. there is a large scope of land here susceptible of cultivation though there is no chance for irrigation. I am of the opinion the gas from those hot springs could be collected and conveyed in pipes so as to answer a small community here for fuel and light. we are on the banks of Kanyan creek without water for the oxen or cooking purposes tonight. we have traveled about 18 miles road good but dusty 18

Sund 11th

we yoked up last night and came on 7 miles to some water and a little grass and today we have traveled 9 miles and lay by the ballance of the day. all the teams are pushing ahead. many are scarce of provisions and grass is scarce for the teams. we are now on the waters of the Humboldt 16

Mond 12th

late last evening there was many Indians prowling around and some 40 of them evidently meditated an attack on 4 wagons near by us but they were bluffed off and the night passed off quietly. today the weather is fine, the road excellent and grass good and we have rolled on about 20 miles and are encamped on the Humboldt 20

Tues 13th

This morning while some Ohioans were at breakfast about a dozen Indians ran off 2 of their horses and 2 oxen they pursued them and retook their stock and 1 indian horse to boot. no lives lost. about 10 miles below the Indians killed an ox. they have their signal lights out every night it is almost as good as our Telegraph. we have come about 23 miles today and have had a shower of rain 23

Wed 14th

Today we have traveled about 20 miles down the river. frogs are very numerous and the Indians are committing frequent depredations and the emigrants confine themselves to self defence only. as yet we have had several gentle showers. weather pleasant and feed tolerable 20

Thurs 15th

This morning our road was intersected by one coming in from Salt Lake down the south branch of the Humboldt. the river then passes through

several kanyans and we forded 4 times. Indian depredations are frequent. they shoot at the emigrants from the crags of the hills at a safe distance for themselves, and we have traveled about 12m

Frid 16th

Early this morning we learned that the Indians had stolen 6 oxen of 1 man and killed all but one of another mans team. some of our men have gone to chastise them but it is very much like running down grayhounds with Bull dogs. our road today has been over a high barren mountain and we have traveled in the day and night 25 miles. the road is dusty beyond precedent, the weather hot, and now that we are back to the river there is but little grass 25

Sat 17th

This morning our cattle had no grass and we have driven them 10 miles down the river to tolerable grass (though scarce). these mountains have all been burnt down to ash hills, some of them look hot yet. there is no system to them at all. their sides are now brown and everything looks desolate 10

Sund 18th

Today we have had a cool north wind, roads very dusty. good grass in the afternoon in abundance, but some salaratus ground, and we have rolled on about 21 miles 21

Mond 19th

This morning there was quite a frost. the day has been pleasant, the roads dusty. in passing a stony point there was several small hot springs near one of which I measured some bull Rushes over 12 feet high standing erect. we passed a good deal of saline and salaratus ground and tolerable grass and we have traveled about 20 miles 20

Tues 20th

Last night was cool to. has been very hot and we have travelled over thousands of acres of salaratus. for the last 3 days the travel has been on both sides of the river and all the indian depredation has been on the south side. we are on the North, have traveled about 18m

Wed 21st

On our way today the river passed through a kanyan and we passed over a mountain. here I saw some horned toads in reality haveing ten respectable horns (and but one head) and used

- them in self defence while the little draggons of Green river have horns on the body and none on the head. I also saw a shrub that appears never to have any leaves— we have traveled about 16 miles 16
- Thurs 22nd** This forenoon the road was dusty. in the after very sandy. the atmosphere continues very smoky. The river seems to diminish in size and we have rolled ahead about 18 miles 18
- Frid 23rd** Most of our road today has been sand from 4 to 6 inches deep, the weather hot and the atmosphere smoky and we have travelled about 17 miles. There are hundreds of persons with packs on their backs that live on rose berries and frogs haveing no other means of subsistence. flour has been sold at \$1 pr pound and two dollars a pound has been refused in many cases when offered. grass poor. 17
- Sat 24th** The road today has led off from the river over an ash plain and we have traveled 16 miles. the mountains lay around in low dark masses, partly Isolated and Seem Shrouded almost in Egyptian darkness, so dense and smoky is the atmosphere. Grass is very scarce and our oxen feed on willows. we have seen no Indians yesterday or today. 16
- Sund 25th** Most of the way today our road has led through a greaswood flat and notwithstanding a small shower this morning it has been very dusty and our oxen had but little else than willows for feed last night (and poor feed tonight) and we have traveled about 14m 14m
- Mond 26th** This morning after driveing our oxen 2 miles and swimming the river we took up our march over an ash plain on which there is neither weeds nor a spear of grass and but little else than a small prickly bitter shrub from 6 to 10 inches high. we traveled on until 11 oclock and watered, rested 1 hour, then went on until three oclock, watered again and then drove on until 11 at night, watered again and drove on, makeing in all about 40 miles. most of this distance the river winds its way among high lime and ash banks, small bottoms but few willows and no grass, and only a few bites now and we must go further and this place is not called a desert 40

Tues 27th

No feed for the oxen yet on the road and we have turned off to the left and crossed the big slough for feed which will take us eight miles off our way. we have found plenty of flags and some grass among running water. our day's travel will be about 14 miles. I think that I have seen more than five hundred dead horses today. I stopped at one time and counted 43 horses and 5 oxen, at another time 35, all putrid. the scene can be better imagined than described. about here there is several thousand acres of tillable land though to much potash and salt but under proper tillage could be rendered as fruitful as old Egypt 14

Wed 28th

Today we have laid by all day and cut grass to last across the Desert, cooked up some victuals, etc. The atmosphere continues very smoky preventing any considerable view of the country. many persons are now suffering for provisions and teams are growing poor

Thurs 29th

This forenoon we filled our water Casks with what we knew to be the leachings off from the putrid carcasses of thousands of dead horses, mules and oxen, then put in our grass and at 2 oclock rolled down 6 miles and then grazed awhile. at three in the morning went on 6 miles further to the head of the Lake or pond makeing 12 miles 12 The mountains all the way down the Humboldt are mere ash hills. The River has but seldom exceeded 30 yds in width. frogs have been very numerous and but few muskitoes. There is no timber but willows and but few of them exceeding 20 feet high. ducks are plenty also some wild geese and black snipes or water hens

Frid 30th

This morning at the head of the Lake or Sink I saw some 15 or 20 lodges of Indians, most of them engaged in gathering and cleaning of a grass seed or grain much resembling broom corn seed but flat. Their graneries and fans would do credit to the engenuity of any people. they also make sugar from the honeydew. we traveled down beside this pond about 10 mils, crossed a slough and went 8 mils further, then got a cup of tea and went on most of the night through the desert

until one of Lawrences oxen gave out. then we stopped and are here near the middle of the desert
say 18m

Sat 31st

This morning all was a desert almost as far as the eye could extend. it has the appearance of haveing once been highland, then burned down to its present level. a great portion of it consists of small sand hills or cones like hay stacks and hay cocks blown up by the wind. the only vegetation is some scattering grease wood bushes. we started and went on until near noon, then watered and fed our teams again, then put the ballan[c]e of our load in one waggon and spliced teams, leaving everything that we thought we could spare, then rolled ahead a few miles further, there met with J J. Benning beside the road. he and Mitchell had sent one waggon to the river and all their oxen, men, women, etc. and will send back for the other two waggons as soon as they can. we however were able to reach the river at 11 o'clock, at night makeing about 22 miles this day, 12 of which was deep sand. I tried to count the number of wrecks of waggons, stock, etc. to the mile.

I find there is about 30 waggons to the mile for 40 miles of the road—1200. the dead animals will average about 100 to the mile for 40 miles—4000. water is being sold at \$1.00 a gallon 22m

Sund Sept 1st

Today we have laid by on Carson River among hundreds of waggons and lots of elephant tracks. I think here in one place of say 20 acres of ground that there is the remains of 800 waggons, some persons think 3000. there is perhaps 2000 along the bank of the River in 6 miles. waggons and ox yokes are valuable only as firewood and ma[n]y persons when they abandon their wagg[on]s set fire to the beds. I have seen say 50 waggons that had been fired and went out. others pile them up and then pile on their ox yokes and harness and consum all together. such bonfires are common. here in this place a meals victuals cost five dollars and a tired ox will sell from one to eight dollars. (cottonwood trees here)

- Mond Sept 2nd** Still laying by I went full eight miles down the river to cut grass to do our team one day on the road up the river. there has been pretty good bunch grass here on the low bottoms but it is all eat out down the river for 6 miles and for 30 miles up stream. people arrive all hours of the night. those that reach here with more than half the team they start in with are considered fortunate.
- Tues 3rd** This morning after halling some hay 6 miles we left this scene of devastation, takeing up on the N side of the river. after 6 miles our road left the river and went over a rocky dusty sage plain 16 miles on to the river again, and no grass scarcely, all haveing been eat out. went 2 miles further and stopped. as yet we have all our stock and we are all well. our hearts are light and so is our stock of provisions. our sugar is gone. today we eat our last bacon. our fruit is nearly gone. our supply of rice is bountiful, coffee and tea to spare. we yet have about 10 days rations of breadstuff 24
- Wedns 4th** This morning we went 3 miles to a large Meadow of 1000 acres, all eat off. we found good grass further up the river off from the road. here we sold an ox for 16\$. I had drove him loose for more than 1000 miles. our road then left the river for 11 miles over, deep hot sand. we are again encamped on the River. whole days travel 14
- Thurs 5th** Today we have crossed the river. it is a pretty stream but seldom exceeding 40 yds in width. our road has been near the river and yet very dusty. we have made about 16 miles. hereabouts the burnt hills rise up high enough to be entitled to the dignified name of mountains, but no timber as yet save a few cottonwood trees along the River, whose shade I have enjoyed several times today. it is a great luxury to me. this forenoon grass was plenty but dry. this afternoon scarcely any 16
- Frid 6th** In the forenoon our road was near the river. in the afternoon over a rocky sage plain and our days travel about 21 miles. today we had a shower of rain, running in streaks. scrubby Cedars on the Mountain sides near by. there is spots of

old snow and pine timber on the mountains 3 miles ahead to the right. some packers report 4 inches of new on the highest mountains on the 1st of sept. 21

Sat 7th

Today we are in the Carson valley. it consists of several thousand acres of the best of grazeing land, considerable quantity fit for cultivation, the river running through the center. bold Mountains on the west, well studded with beautiful pine timber some of which are 6 feet in diameter, many of them from 3 to 4 feet. lots of good springs, several pretty brooks. here white people could live and we have traveled today about 16 miles 16

Sund 8th

after going about 2 miles there was a succession of hot springs at left of our road. several times I placed my left hand in almost scalding water and turned up my right eye and viewed those small though everlasting drifts of snow near by. the grass has been burnt in several places. the atmosphere is smoky. The Indians all the way on Carson river shoot all the oxen they can. they also shoot at the emigrants every convenient opportunity but we think so little of it now that I had neglected to mention anything about it. we come about 6 miles and are resting the team and cutting hay to last over the mountains. a majority of the emigrants are now on foot with their packs on their backs, haveing lost almost everything. the speculators are sending large quantities of provisions to sell to those still behind us 6

Mond 9th

This morning we had frost. the wind has blown a gale all day. we saw several men today with mules packed with provisions for their friends that are digging gold north and east of this place and we ar considerably east of the highest mountains. we have come on 6 miles more and laid by the rest of the day, preparing for the rugged mountains ahead. there will not more than $\frac{1}{4}$ of waggons that started to Callifornia ever attempt to cross the mountains 6

Tues 10th

Last night the wind blew a hurricane bareing down tents, blowing away tinware and hats generally. this morning as cold as December and brisk snow squalls this afternoon. we have traveled 12 miles 7 m of which beats anything I

ever saw before, through the Kanyan on the head of Carson river. here the scenery was most grand and imposing. the Mountains of light grey granite rose almost perpendicular to an enormous height, yet the dark green pines of several varieties and in great numbers seemes to cling to the mountain sides and flourish most luxuriantly 12

Wed 11th

This morning the high Mountains wer covered with snow, the lowland with hoar frost, ice $\frac{1}{2}$ in thick in the water pail. Two new varieties of elder and several new varieties of currants make their appearance in this locality. most of the way today has been among rugged mountains and dense pine forests. many of them seem on the decline and dying. we ascended one mountain about $1\frac{1}{2}$ miles. the road can neither be imagined nor described,—a person mus[t] both see it and go over it to appreciate the difficulty. we are encamped about half way up another mountain, the last serious obstacle on our route, and have come today about 16m.

Thurs 12th

In ascending the Mountain this morning I discovered the bluebells and column vine [columbine] both in bloom 300 ft above the level of perpetual snow and within 20 ft fresh mad[e] Icickles. we soon passed among heavy drifts of old snow, the road steep and rocky, and reached the summit at 9 oclock A. M. near 1000 ft above the level of perpetual snow. even here among the frozen earth there are many flowers in bloom. from this hight we had an extensive view of a very rough mountainous country far to the wes[t]. we can now say if we have not rode the Elephant Triumpantly we have at least mounted the highest portion of the Siera Naved [Nevada] Mountains successfully. our road has been very rough, the country well timbered with pines and balsam fir. traveled 16m

Frid 13th

This morning we passed the tragedy springs and soon came to some large cedars, many of them 3 to 4 feet through. 1 tree was near 7 feet in diameter but not exceeding 50 feet in height. we are encamped this evening 2 miles west of the leek springs. there is to all appearance some

little spots of tolerable soil hereabouts. the country is a dense forest of pines and Balsom fir. The Fir largely predominateing. there is a few whortle berries, some Rosberries—a new variety, and also a goosberry in great abundance, Bigger, Better and thornyer than anything of the Kind in the States. The bushes are low, the fruit almost lying on the ground. our days travel will be about 13 miles 13.

Sat 14th

Today we have laid by all day resting and grazing our stock. but little grass to graze on and none at all for the next 40 miles. I have seen several new kinds of squirrels and birds among which I saw a mountain Blue Jay, a noble Bird entirely blue, nearly as large again but in other respects resembling the Jay of the states. the Black tailed deer are here in great abundance

Sund 15th

we again took up the line of march over the mountains, our road very rough and stony, dense forests of pines fir and Cedars. Cedar trees do grow 100 feet high and from 2 to 4 feet in diameter. a few Oaks made their appearance today. The Emigrants have cut down nearly all of them that their stock might feed on their leaves and we have done the same this evening. we have had a little shower of rain this evening and traveled 14m.

Mond 16th

Today we have traveled about 18 miles. the [road] has been extremely dusty, some portion rocky. the oaks become more plenty and the forest has lost its beauty. we are this evening in pleasant valley. there is no feed here nor anything pleasant save a few very large scrubby oaks 18

Tues 17th

Our oxen had nothing to eat last [night] save a few oak leaves and we have come on 10 miles to a little town called Ringold. here we sold our team and waggon all together for 295\$. he[re] I separated from my companions and went with the team to the Diamond springs 2½ towards sacramento City. at Ringold as at these Springs I have seen several men digging and washing gold. I can now say I am fairly into the gold diggins and will probably cease keeping a Journal

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ANNALS OF IOWA

EDITORIAL DEPARTMENT

THE PLACEMENT OF THE ALLISON MEMORIAL.

One of the most notable provisions for the future made by any Iowa legislature is a measure known as House File 669, recognizing and regarding the necessity of the immediate and correct placement of the Allison Memorial elsewhere than "upon the Capitol grounds or any extension thereof" as heretofore provided. For a generation a trend toward the correction and completion of the grounds surrounding our State House has been developing. One by one the larger necessities of the State have been provided. Following the almost complete rebuilding of the structures of all the Iowa institutions, the replacing of temporary ill-planned buildings by those splendidly conceived and, in great part, fire-proof, the logical time for completing the landscape needs of the principal building of the State seems to have arrived. It was so stated in effect in the final message of Governor Carroll, and re-stated with emphasis in the inaugural address of Governor Clarke.

The Secretary of the Allison Commission was authorized some months ago to obtain a diagram of the location of the Capitol, the heating plant, the Soldiers and Sailors Monument, the State Historical Building, the other lands adjacent owned by the State, and a proposed placement of the Allison Memorial appropriate to its own value as a work of art and not detracting from existing structures.

In consequence, E. L. Masqueray, expert advisor of the Allison Memorial Commission, was directed to prepare such a sketch as would conform to the above requirements and, furthermore, would take notice of the needs in the probable development of our State throughout the remotest future, and of the natural as well as artificial elements for economical but correct final disposition of all structures in accordance with artistic principles.

Mr. Masqueray submitted his sketch and it was afterward taken by Governor Clarke as the basis of his plan for giving the Capitol adequate setting and providing against random placing of such structures as shall in future be assembled on or near the Capitol grounds, either as gifts or by appropriation.

Governor Clarke began the presentation of his policy to members of the legislature first in personal conference, then in a special message and finally in the form of a bill, which was passed through both houses on April 8, 1913, by a vote in the Senate of thirty-four to six, and in the House of sixty-nine to twenty-eight. The popular method of raising funds for large expenditures in recent years by millage tax rather than by appropriation from the general revenues was adopted in the bill. Therefore a special tax for the purchase and improvement of additional ground was required to be levied for a period of ten years commencing with the levy to be made in the year 1913. For the years 1913 and 1914 the levy required to be made is one-half mill on the dollar on the taxable property of the State, and for each of the remaining eight years a levy to be fixed by the Executive Council that will yield approximately \$150,000 annually.¹ On the theory that the gradual acquisition of the lands would result in gradual and enormous increase of cost, a provision for anticipating the proceeds of the tax and for immediate acquisition of the lands was devised. So that whoever has property the State will need cannot await the general rise in values nor have the rise that is inevitable from the adoption and initiation of the plan. It was further enacted that the State might condemn the land of any of whom it could not purchase at reasonable prices. As is the law in the taking of lands under the right of eminent domain, such lands are to be appraised by an impartial jury, and to insure impartiality, special provision was made, taking the appointment of the jury out of the hands of the sheriff of the county wherein the lands lie, and placing it in the hands of the Chief Justice of the Iowa Supreme Court and requiring that he appoint no two from one county.

¹H. F. 669, Chap. 14, Acts 35th G. A.

The measure provides that the general plan secured by the Allison Commission for its guidance in the placement of the Allison Memorial be followed in the enlargement and improvement of the grounds. It provides that the Executive Council serve without pay as agents for the acquisition of the grounds and as commissioners for the performance of the work. The Executive Council is granted authority to acquire any or all grounds within an area ample for a finished work unequalled in landscape value in any American capital and never excelled in economy in any public work. It is the final touch in the purpose of Gen. Grenville M. Dodge to make of the tribute to Senator Allison not only an ideal of art, but a step forward in the annals of all Iowa constructive building and business.

JUDGE CALDWELL ON HENRY CLAY DEAN.

Hon. Henry Clay Caldwell communicated his thoughts as to the sketch of Rev. J. W. Cheney on Henry Clay Dean to the author of that sketch, and we have requested the privilege of reproducing Judge Caldwell's letter:

2195 West 24th St., Los Angeles, Cal.

Nov. 28, 1912.

My Dear Cheney:

I have just finished reading your biography of Henry Clay Dean in the last number of the *Annals*,¹ and write to compliment you upon it. It is far and away the best biography of that wonderful man that has been written.

I esteem myself something of a judge of men and their abilities, and, in my opinion, Dean was the greatest natural orator and reasoner I ever heard—and I have heard several men who ranked among the first orators of the nation. Great genius always contradicts itself. There is no great genius without a tincture of madness. The partition between great genius and insanity is very thin in places, and at times liable to be broken down altogether. No man ever travels through life (if he lives to middle age) with an unvarying character, and least of all a great genius. Change of environment insensibly works a change of character.

¹*Annals of Iowa*, v. 10, p. 320.

Dean was a great, a very great, natural genius and was possessed of the weaknesses that belong to such geniuses. The total absence of the sense of propriety, the utter disregard of almost all of the conventional rules of society, coupled with his gormandizing propensities, and indifference to personal cleanliness had the effect to obscure his great genius, and to cause him to be regarded by many as a low, vulgar fellow, and unworthy of the applause and esteem his genius deserved.

We must overlook and forgive many things in a great genius that we would not forgive in the ordinary man. Great genius must be measured by the standard that belongs to great genius, and not by the standard by which we measure the mediocre man. But the public mind is not governed by this rule; it commonly dwells more on the weaknesses and follies of men than on the greatness of their achievements. If Dean's early environments had been of a different order from what they were many of the eccentricities that marred his genius would have disappeared.

I have read the arguments of some eminent authors and listened to the reasoning of some able divines in support of the immortality of the soul, but the most powerful, persuasive and convincing reasoning on that subject I ever heard or read was from Dean when preaching the funeral sermon of John R. Wright (Uncle Sim Wright's son, who was a student in our law office and died in Keosauqua). With a diction as copious and elegant as Macaulay's, and a power of reasoning equalling if not excelling Daniel Webster's, he discoursed for two hours without a break in the high and elevated tone befitting his subject, which for him was unusual, for he seemed to delight in inserting a blot in his most finished discourses.

But I set out to do nothing more than thank and congratulate you for your admirable delineation of Dean's character. Both Wright and Knapp abhorred him, the one on personal and the other on political grounds, and while I disliked many things he said and did, I always regarded him as a transcendent natural orator, which he undoubtedly was. John R. Wright (the Judge's brother) said of Dean, "It is a pity so great a man should be so big a fool," and this remark is a brief but tolerably accurate biography of the man. You have done justice—and no more—to his memory.

Yours truly,

HENRY C. CALDWELL.

MEMORIES OF INDUSTRIAL DISTRESS.

May, 1894, was a month of apprehension throughout industrial America. Ominous meetings of the unemployed gave out promise of conditions worse than idleness. Across the State of Iowa the Kelly Army made a trail of anxiety. As is so true in emergencies, the actual danger and distress were apparent to but few. To the ordinary person the incident was little more than comedy. It has vanished from the popular attention to the realm of forgotten things.

The responsibility upon the Governor of Iowa and upon the authorities of the cities and towns was never felt except by the officials themselves. From Council Bluffs to Des Moines by land and from Des Moines to Keokuk by water, this unprecedented movement of a thousand men kept municipal corporations on the edge of panic. The Governor, the Attorney General, the Adjutant General and the railroad authorities of Iowa remained on the *qui vive* from the moment the "army's" eyes in Omaha were turned toward the Iowa shores to that when the flotilla passed from the mouth of the Des Moines river. The officials and interests noted spent anxious moments night and day over rights and remedies. Charity and religion, science and chicanery, were busy over the "manifestation," and all unconsciously, were interfering with the few men on whom the legal burdens rested.

What information the people at large had is apparent from the page in the newspapers in our files, but that information was largely at variance with the cold facts with which our officials dealt. What passed under the attention of the Governor of the State, like so much emergency service in the executive office, is unrecorded, but has been promised by Governor Jackson for publication in the ANNALS.

The transactions in the different cities and towns may fairly be inferred from minutes of the city council and from fragmentary manuscripts presented to the Historical Department by the City of Des Moines. The minutes show that on April

19, 1894, the mayor called the attention of the council to a telegram he had received from the citizens of Council Bluffs notifying him that Kelly's army had started for Des Moines. He requested the council to take action regarding the proposed invasion. A motion was adopted referring the matter to the mayor, the city solicitor and the committee on ways and means, with instructions to do what in their judgment seemed best.

On the 27th a motion was adopted directing the mayor to appoint necessary police "while Kelly's Army is in town." On the same day the "members of the council from the East Side are appointed a committee to locate a place for encampment." Also there was adopted a motion directing the mayor to appoint a committee of "officials from the head of the Police Department to act in conjunction with the sheriff to notify the self-appointed General Kelly of the action taken by this Council for the disposing of him and his followers." The action is in the form of the following resolution:

In view of the fact that Kelly and his followers are expected to arrive at Des Moines within two or three days, *Resolved*, that upon their arrival they be required to march through the city as rapidly as may be without injury to the men, and that under no circumstances will they be allowed to camp in Crocker Woods. All donations made by citizens will be delivered at the camp provided for them.

Among the manuscripts are the following:

To the People of Des Moines:

I am reliably informed of the near proximity to our city of the so-called Gen. Kelly and his army. It now seems inevitable that they will pass through Des Moines. The peace and dignity of our city must and will be maintained. We will treat these men kindly but firmly and we will insist that they must not remain with us, but pass on and such means as are necessary to accomplish this end will be used. I call upon the citizens to donate such contributions in the way of food and money as may provide for this company of men for one day. I am informed that they will need for a day's rations 1400 loaves of bread and 1000 pounds of beef and 50 pounds of coffee. These articles may be left at the Commercial Exchange and will be taken charge of by a committee appointed to look after this matter, composed of Aldermen Macartney, McElderry and Wilkins and Deputy Marshal Shaffer. I counsel moderation in all

things pertaining to this matter. These people are travelling through the country without the means of subsistence and our citizens are willing to give them food as an act of humanity, but we did not invite them to come here, we are not prepared to take care of them and we do not want them to stay with us.

ISAAC L. HILLIS,
Mayor.

There were filed with the council such protests as follows:

Messrs. Dean, Longshore, Christy and Redhead wish a protest entered against encamping the Kelly army on their land adjoining the east part of the city.

JAMES H. DEAN,
GEO. L. LONGSHORE,
GEO. S. REDHEAD,
CHRISTY COAL CO.

On April 30th the council formally acknowledged the receipt of a letter from Supt. Egan of the Chicago Great Western Railway to which there appears the following response:

To W. P. Egan, Supt.

Chicago Great Western Ry. Co.

Dear Sir: Your communication to the city council and the mayor giving notice that there is danger that the so-called Kelly Army will capture one of your trains, is at hand and contents carefully noted.

In reply let me assure you that we will gladly aid with the police force of this city at any time or place when you notify us that there is specific danger of any unlawful act on the part of the said Kelly's army.

Yours Very Respectfully,
ISAAC L. HILLIS,
Mayor.

A resolution was adopted April 30th in the following terms:

It is the sense of the council that the mayor be requested to inform General Kelly and his army that they move on and that at once.

It was transmitted with a letter as follows:

Des Moines, Iowa, May 1, 1894.

"General" Kelly,

Des Moines, Iowa.

Dear Sir: Please take notice of the enclosed resolution and oblige

(Signed)

Yours respectfully,
ISAAC L. HILLIS,
Mayor.

AS TO THE PALMETTO FLAG.

Edgar R. Harlan, Curator Historical Department,
Dear Sir: Des Moines, Iowa.

In the July, 1911, number of the ANNALS is the description of a "Palmetto Flag", in possession of the Historical Department, captured at Columbia, South Carolina, February 17, 1865. In the article reference is made to a similar flag in possession of The State Historical Society, at Iowa City.

As the two flags are not identical, it may be worth while to describe the flag in possession of The Historical Society. The material is dark blue bunting, measurement 20x36 feet in its perfect form, before the removal of about 18 inches from the bottom of the flag, the entire length, and also the removal of a strip about six inches in width about half the length of the flag. It is a fair conjecture that these strips were taken as souvenirs by some person.

The emblems on the flag are a palmetto tree in the center, measuring ten feet 8 inches in height, and a crescent in the upper left-hand corner, measuring 4 feet 8 inches from point to point. These emblems are not stitched upon the goods of the flag, but are insertions accurately fitted and nicely stitched. There is also a very slight difference in the foliage of the palmetto as compared with the illustration given in connection with your description of the flag in possession of The Historical Department.

The flag in possession of The Historical Society "was captured at Columbia, S. C., Friday, February 17, 1865, by then First Lieut. William H. Goodrell, Fifteenth Iowa Volunteer Infantry, picket officer on the staff of Gen. William W. Belknap." The language here quoted is that of Brevet Major H. C. McArthur, in a recent published account of the capture of Columbia, who was of the party capturing this flag. Major McArthur further says that the flag was "found stretched along the upper edge of the north wall of the unfinished new Capitol Building." The flag was presented to The Historical Society by General Belknap, commanding Crocker's Iowa Brigade, Seventeenth Army Corps.

J. W. RICH.

Iowa City, Iowa, June 10th, 1912.

NOTES.

The Thirty-fifth General Assembly appointed Senator N. J. Schrup and Representative Walter F. Craig to serve on the Allison Memorial Commission.

An act submitting the creation of the county of Larrabee to the legal voters of the county of Kossuth, Iowa, passed the Thirty-fifth General Assembly. It is proposed to divide Kossuth county and form of the northern part a new county named in honor of Ex-Governor William Larrabee.

The State Board of Education in meeting of February 5th approved the naming of the women's dormitory at Iowa City "Currier Hall" in honor of Dean and Mrs. Currier. Dean Currier had been a member of the faculty over forty years and at the time of his death probably had a wider acquaintance among the alumni of the State University of Iowa than any other person.

After years of discussion by parties interested, definite arrangements have been made by the Historical Department of Iowa and the Polk County Pioneers Club for marking the grave of William Alexander Scott, who in 1856 gave to the State of Iowa the ground upon which the Capitol now stands. The grave, which is on the bluff south of the Capitol, will be marked with a granite boulder bearing a bronze tablet setting forth briefly the eventful dates of his life.

The Lincoln Memorial Commission, at a conference in the White House December 4th, accepted the design of Henry Bacon, a New York architect, for a monument to the martyred president. The design is for a marble structure in Potomac Park, 156 feet long and 80 feet wide. In the central hall will stand a heroic size figure of Abraham Lincoln. The plan calls for an expenditure of \$1,775,000, and has been approved by Congress.

The Thirty-fifth General Assembly held a memorial service for ex-Governor Larrabee in the House Chamber, March 20th, Governor George W. Clarke presiding. Prayer was offered by Rev. John L. Hillman of Des Moines. The memorial address delivered by U. S. Senator W. S. Kenyon paid fitting tribute to the character and public services of ex-Governor Larrabee. Mrs. Larrabee and family were present at the service.

The label attached to each item in a collection of newspapers in the Historical Department is as follows:

In Commemoration

The West Union Gazette was established at West Union, Iowa, by Charles H. Talmadge in 1867, and he continued as its editor and publisher until his death in 1907. He was a man of high ideals in journalism and in life, and to his unswerving fidelity to what he held to be the best interests of Iowa and the nation these volumes bear mute testimony, aside from their value as an historical record of affairs in Fayette county for a period of forty years.

Mr. Talmadge was born in Pennsylvania in 1842, but was a resident of Iowa continuously from 1856, with the exception of four years spent in the union army.

Presented to the Historical Department of Iowa in commemoration of the life of Mr. Talmadge by his son,
May, 1911.

D. H. TALMADGE.

The following Concurrent Resolution in regard to an Iowa State Flag was introduced into the senate by Senator Larrabee, April 15th:

Whereas, our State has no flag known as the official flag of Iowa,

Resolved by the Senate, the House concurring, that the governor, the adjutant general, and the curator of historical collections be and they are hereby created a commission to inquire into and report to the Thirty-sixth General Assembly upon the expediency of the adoption of an official State flag and upon the appropriateness of the design therefor if they approve of the same.

The resolution was adopted April 15th and messaged over to the House, called up by Representative Ring and adopted by the House April 16th.

Extract from Message of Governor Carroll to the Thirty-fifth General Assembly, January, 1913:

The Capitol Grounds.

A comprehensive scheme for enlarging the capitol grounds should be adopted by you and plans made for the eventual acquiring of the lands to be added to the present holdings of the State. I would recommend that the State buy all of the grounds lying between East Ninth and East Twelfth Streets, beginning at Capitol Avenue and extending to the railroad tracks at the foot of the hill to the south. The grounds thus acquired, lying south of Walnut street, should be parked and beautified, and upon them should be placed the Allison monument and such other monuments as may be erected in the future, and when the State shall build an executive mansion, it should be placed upon the high point of ground to the southeast of the capitol building. Upon the block immediately east of the State House and south of Capitol Avenue, should be located a judicial building. I would also suggest that when the time comes that it is necessary to make any considerable improvement in the State's power plant, it would be wise to consider moving it to the foot of the hill south and southwest of the State House, where it could be reached by a switch, thereby saving the large amount of money that is annually paid for hauling coal with teams and wagons, and also getting rid of the dirt and smoke and the somewhat unsightly appearance of a heating plant in front of the capitol building.

In suggesting the enlargement of the capitol grounds, I wish to say that the owners of some of the lots included in that which I have referred to, have already expressed a willingness to sell the same and some have submitted a price for their holdings. I want also to say that at two or three different times efforts have been made to secure a change of grade in some of the streets about the State House, which change would have a very material effect upon the surroundings, if additional lands are to be acquired. The council has each time objected to these changes and asked the parties interested therein to wait and take the matter up with you with a view to securing co-operation with the city of Des Moines and the State in some general plan of improving the State House surroundings, and I recommend the appointment by you of a committee to take the matter into consideration and co-operate with the officials of the city to the end suggested.

In my opinion the State might profitably dispose of Governor's Square, allowing the city to purchase it for a park if so desired, and invest the proceeds in lands above suggested for purchase.

Extract from the Inaugural Address of Governor George W. Clarke:

The Capitol Grounds.

The subject of the extension of the capitol grounds is a matter that should have consideration. The day is now here when these grounds surrounding us should be more spacious and they should be made more beautiful. They do not meet the material demands of the present and for the future they will be entirely inadequate. The future should ever be in mind. We build for those who are to come after us. We should have a vision of what Iowa is to do and be. In the extension of the grounds a regard should be had for a better setting of the capitol. The whole question of the enlargement and location of buildings and monuments should at once be placed in the hands of the best landscape artist that could be found with instructions to prepare a plan commensurate with the needs and ideals of a great, progressive and cultured people. It cannot all be done at once, but a beginning can be made. Every day of postponement only makes the realization more expensive and difficult. What is done should be done in accordance with a plan to end in both utility and great artistic beauty.

Extract from Special Message of Governor Clarke to Thirty-fifth Assembly, March 26, 1913:

Capitol Extension.

I desire to submit a word with reference to the extension of the capitol grounds. It is the need of the present—it is the imperative demand of the future. It is a matter of the very best business policy. If looked at only as an investment it would be a remarkably good one. By extending the payment for the grounds over a period of ten years it would bring no burden at all upon the people. Never again can the purchase of ground be so advantageously made as now. Iowa should do business as competent successful business men do. Advantage should be taken of the time and the opportunity. Iowa should announce that she is of age and full-grown. She should step out of the old conditions that hamper and restrain her into the new. The legislature should be unafraid. The people will sustain you. When the work is done they will ever refer to you as the legislature that was far-seeing and wise enough to extend the Capitol Grounds, * * * What man is there of you that will lose this the greatest opportunity of his life to render a great public service. Listen not to the voice of selfishness. Tolerate not the "invisible" man. For more than ten years practically all legislation and all political agitation in this country has been against human selfishness. Let it proceed. The rights of all men must be put above the selfishness of a few men. Go forward. Your duty, as it seems to me, is plain.

NOTABLE DEATHS.

ANTON HANSMANN was born in Baden, Germany, June 9, 1837; he died at De Witt, Iowa, March 16, 1913. He emigrated to America in 1855, coming first to Cincinnati, Ohio, the next year to Illinois and in 1859 to Clinton county, Iowa, where he maintained his residence until his death. He was a director of the De Witt Savings Bank, and Representative from Clinton county in the Twenty-seventh and Twenty-eighth General Assemblies.

CHARLES GATES was born at Marble Rock, Iowa, April 2, 1856; he died in Des Moines, January 31, 1913, while in attendance as a senator from the Thirty-ninth district in the Thirty-fifth General Assembly. He graduated from Marble Rock high school and engaged in farming for several years, afterwards becoming interested in the lumber, implement and banking business. He served as mayor of Greene for three terms and later as alderman. He was elected State Senator in 1908, and served throughout the Thirty-third, Thirty-fourth and the beginning of the Thirty-fifth General Assemblies. His remains were conveyed to his home in Greene for burial by a committee from the Senate and House.

ASAHEL MANN was born in Hendricks county, Indiana, December 4, 1842; he died at Ogden, Utah, February 10, 1913. He removed with his parents to Fremont county, Iowa, in 1851, and received his early education in the district schools. He was in Tabor College at the outbreak of the Civil war and enlisted in Company A, Fourth Iowa Cavalry. He served throughout the war and participated in many important engagements. He was taken prisoner at Jones Lane, Arkansas, and on being exchanged returned to service. He was a Republican in politics and was elected representative from Fremont county to the Thirty-second and Thirty-second extra General Assemblies. He maintained his home on one farm in Fremont county from 1851 until his death.

SEWARD SMITH SHIRER was born at La Porte City, Iowa, September 17, 1871; he died at Chicago, February 18, 1913. He received his early education in the public schools of his native town and afterward attended Cornell College, Mt. Vernon. He graduated from the law course at Lake Forest university and was admitted to the bar in Iowa in 1893. In 1895 he removed to Chicago and was admitted to the Illinois bar. He was appointed assistant U. S. district attorney in 1906 by Edwin W. Sims and was held in highest regard as a prosecutor by Mr. Sims and his successor, James H. Wilkerson. In addition to his work as government prosecutor, Mr. Shirer was actively identified in the work of civic improvement in the district in which he lived.

RUTHVEN WILSON LEVERICH was born in Muscatine county, Iowa, May 1, 1838; he died in the city of Muscatine, February 1, 1913. He received his early education in one of the pioneer log schoolhouses of the State, and later attended Cornell college, Mt. Vernon. His career as an educator began in early manhood and he assumed charge of the Wilton schools in 1870. Shortly thereafter he was elected county superintendent of schools, and continued in that capacity for five successive terms. After retiring from the office of county superintendent he started the Leverich Normal Training School which came to be recognized as one of the valuable educational institutions of the State. He conducted this school until about two years ago, when he was forced to resign on account of ill-health.

ELI W. BEARD was born in Randolph county, Indiana, February 22, 1836; he died at Indianola, Iowa, January 8, 1913. In the fall of 1837 his father moved his family to southeastern Iowa, and his boyhood was spent among frontier surroundings. He early decided to adopt school teaching as his profession and therefore attended Howe's Seminary, a training school conducted by Prof. Samuel F. Howe at Mount Pleasant. He later took a course at Earlham College, Richmond, Indiana. He began teaching in the fall of 1856, and with the exception of two winters was continuously in the work from that time until the spring of 1912, teaching in private and public schools both in Indiana and Iowa. As a young man he was recorded a minister in the society of Friends and during his entire life was active in church, temperance and philanthropic work.

ERNEST ELDRED HART was born in West Union, Iowa, December 9, 1859; he died at Long Beach, California, February 1, 1913, while absent from his home in Council Bluffs. While yet a boy he removed with his family to Council Bluffs and received his early education there, graduating from the high school with the class of 1875. He attended Grinnell College for a year and then went to Yale University, graduating from the academic course in 1881. He entered the real estate business in Council Bluffs, and a few years later conducted a successful loan and mortgage business. In 1891 he opened a private bank, and in 1902 became president of the First National Bank of Council Bluffs. His business interests expanded rapidly until he became known as one of the foremost financiers of the country. In politics he was a Republican, and was prominent in political circles, serving for twelve years as Republican national committeeman from Iowa, and a portion of that time as member of the executive campaign committee.

BENJAMIN W. LACY was born in Locke, Cayuga county, New York, March 12, 1849; he died at Dubuque, Iowa, September 28, 1912. At the age of six years he came with his parents to Fayette county, Iowa, and there spent his childhood and youth, receiving his education in the common schools and at Upper Iowa University. When nineteen years of age, he went to Alexandria, Virginia, working in the office of his uncle, Judge Wetsel Willoughby, and pursuing his law studies at Columbia Law School, and for two years serving as clerk in the census bureau. In 1872, through the influence of his friend, Senator William B. Allison, he returned to Iowa, entering

the law office of Adams and Robinson of Dubuque, first as a clerk and later as a member of the firm. A few years afterward he was appointed judge of the circuit court and served in that capacity for several terms. After retiring from the bench he re-entered the law practice at Dubuque, continuing until his death. He was also an active business man, being president of the Iowa Trust and Savings Bank and director in several business concerns. He was deeply interested in the welfare of the community, serving for years as an officer of the Young Men's Christian Association and as a member of the board of directors of the public library.

GEORGE AUGUSTUS GATES was born at Topsham, Vermont, January 24, 1851; he died at Winter Park, Florida, November 19, 1912. He graduated from Dartmouth College in 1873 with the degree of A. B. Soon after he went abroad in the capacity of tutor and remained for some time studying in Germany. In 1880 he graduated from the Andover Theological Seminary and was ordained in the Congregational ministry. His first pastorate was at Upper Montclair, New Jersey, from 1880 to 1887. In 1887 he accepted a call to the presidency of Iowa College at Grinnell, Iowa, and served in that capacity until the fall of 1900. During this period the degree of D. D. was conferred upon him by Dartmouth in 1892, and LL. D. by University of Nebraska in 1893. From January to November, 1901, he was pastor of the First Congregational Church at Cheyenne, Wyoming. He removed to Claremont, California, and served for seven years as president of Pomona College. After a few months rest and recuperation, he became president of Fisk University, Nashville, Tennessee, and held that position until the opening of the college year in 1912, when ill-health resulting from a severe accident, caused him to offer his resignation. He returned to his old home in Vermont and later sought relief in Florida where his death occurred.

CORNELIUS CADLE was born in New York City, May 22, 1836; he died at Cincinnati, Ohio, January 13, 1913. He removed in 1843 with his parents to Muscatine, Iowa, where he received his early education, later attending Iowa College. He enlisted at the beginning of the Civil war in Company H, Eleventh Iowa Infantry, and was immediately appointed Adjutant. In 1862 he was assigned to duty as Acting Assistant Adjutant General, serving in that capacity through the Vicksburg and Atlanta campaigns. He also participated in other engagements and was with Sherman on his march to the sea. At the close of the war he was brevetted Colonel for gallant and meritorious conduct. His portrait appears in the bas relief—"The Triumphant Return"—on the Iowa Soldiers' and Sailors' monument, Des Moines. He was engaged in mining in Alabama from 1865 to 1894, when he removed to Cincinnati. Colonel Cadle took an active interest in the organization of the Grand Army of the Republic and served as recording secretary of the Army of the Tennessee from its inception. At the time of his death he was commander-in-chief of the Military Order of the Loyal Legion and president of the Ohio society of the Sons of the Revolution. He served as chairman of the Shiloh National Military Park Commission and largely through his efforts the old battlefield was transformed into a government military park and a memorial shaft erected.

ISAAC S. STRUBLE was born near Fredericksburg, Virginia, November 3, 1843; he died at Le Mars, Iowa, February 17, 1913. In 1845 his parents removed with their family to Ohio where they remained until 1857, when they came to Iowa and settled on a farm near Iowa City. Mr. Struble received his early education in the common schools of Ohio and Iowa. When eighteen years of age he enlisted in Company F, Twenty-second Iowa Infantry, and was in active service throughout the war, participating in the battles of Port Gibson, siege of Vicksburg, siege of Jackson, Miss., and Cedar Creek, Va. He was mustered out July 25, 1865. In 1866 he went to St. Louis and spent a year in the wholesale house of J. H. Teasdale & Co. Returning to Iowa he studied law at the State University and was admitted to the bar in 1870. He practiced in Polo, Illinois, for two years, removing in 1872 to Le Mars, where he maintained his residence until his death. He was elected to the Forty-eighth Congress in 1882 from the Eleventh Iowa district, and re-nominated by acclamation for three succeeding terms. He occupied a prominent position on various committees, especially on the committee on territories. As chairman of that committee in the Fifty-first Congress he took active part in matters pertaining to the organization of the territory of Oklahoma and the admission to the union of Idaho and Wyoming. At the conclusion of his service in congress he resumed the practice of law and other business enterprises in Le Mars.

JOSEPH EIBOECK was born in Hungary, February 23, 1838; he died at Des Moines, January 8, 1913. He came with his parents to America early in 1849, and on May 1st of the same year settled in Dubuque, Iowa, where he was the first apprentice on the first German paper in Iowa. When eighteen years of age he became a school-teacher and taught for three years. In 1859 he purchased the *Clayton County Journal*, a paper published in Garnaville, removing it a year later to Elkader, where he continued its publication until 1872. He enlisted on November 18, 1862, in Company E, Ninth Iowa Infantry, but was discharged for disability after a few months' service. In 1868 he established the *North Iowa Herald* at Elkader which he published for one year. He left the Republican party in 1872 to join the ranks of the Greeley party, and was a delegate to the convention in Cincinnati which nominated Greeley for the presidency on the Liberal ticket, and was a prominent advocate and organizer of the Greeley party in Iowa. In 1873 he was appointed by Governor Carpenter commissioner to the World's Fair at Vienna. Upon his return he affiliated with the Democratic party and in 1874 removed to Des Moines and became the editor and publisher of the *Staats-Anzeiger* that he might promulgate his ideas of personal liberty and democracy among the Germans in Iowa. In 1878 he was Democratic candidate for Auditor of State, but was defeated by Buren R. Sherman. He was the author of the *History of Clayton County*, published in 1872, *History of the Germans in Iowa*, published in 1900, and while editing the German *Staats-Anzeiger* published also two English newspapers, the *Herald of Liberty* and the *State Independent*.

CARL WILHELM VON COELLN was born in Westphalia, Germany, August 31, 1830; he died at his home in New London, Iowa, April 20, 1913. He attended the public schools in his native town, later the gymnasium at Hereford and the University of Bonn. He served one year in the German army. In 1855 he emigrated to the United States, taking passage in a sailing vessel which reached New York after a voyage of fifty-two days. He soon removed to Ohio where he spent one year on a dairy farm and five years teaching in private schools and academies in Ashtabula, Trumbull and Summit counties. In 1861 he removed to Des Moines and taught in the public schools six months and then opened an academy in Cascade, Dubuque county. He was professor of mathematics in Iowa College, Grinnell, for seven years, and then removed to Kidder, Missouri, where he remained a year and a half, coming back to Iowa to teach in the Waterloo public schools. From 1876 to 1882 Mr. von Coelln served as state superintendent of public instruction. At the expiration of his public work he taught at Denison, and later was in the employ of D. Appleton & Co., publishers of school books. In 1892 he removed to Storm Lake where he served as professor of mathematics in Buena Vista College for four and a half years and then retired from active life for a number of years. From 1902 to 1904 Mr. von Coelln served as county superintendent of schools in Crawford county. In the spring of 1904 he removed to New London and entered the newspaper field as editor of the *Farmer-Times* and continued in that position until his death. He always took an active interest in the educational affairs of the State, framed many of the school laws now in force, and was known as the "father of the Iowa school laws." He served as president of the school board of New London and was an able editor.

JOSHUA MONROE SHAFFER was born in Washington county, Pennsylvania, September 13, 1830; he died at Keokuk, Iowa, March 25, 1913. He entered Washington and Jefferson College at the age of thirteen years, and graduated in 1848 with the degree of A. B. In 1849 he began the study of medicine with his brother, John E. Shaffer, at Elizabeth, and attended lectures at the University of Pennsylvania. He came to Iowa in 1852, locating in Fairfield, where he practiced medicine. In 1862 the honorary degree of M. D. was conferred upon him by the State University of Iowa. He became interested in the organization of the Iowa State Agricultural Society in 1853, and served as secretary in 1854 and 1855 and again from 1863 to 1873. In 1863 he was appointed surgeon of the board of enrollment for the First Congressional District of Iowa, and examined over five thousand men preparatory to their admission to the army. He was appointed commissioner from Iowa to the Paris Exposition in 1867, but as no expense fund was provided by the State he resigned. He was Senator from Jefferson county in the Ninth and Ninth extra General Assemblies. In 1874 he removed to Keokuk to act as secretary of the Iowa Life Insurance Company, and held that position as long as the Company existed. During the years 1876 and 1877 he lectured at the Keokuk College of Physicians and Surgeons. Dr. Shaffer was a lifelong student of natural history and made numerous large collections. His collection of birds shows his skill as a taxidermist and he was well known

by authorities on natural history throughout the United States. He was also deeply interested in the history of Iowa and the West, and rendered great assistance in the collection and preservation of early historical data. He was an especial adviser and supporter of the founder of the Historical Department of Iowa. In politics he was a Republican and attended the first Republican convention in the State, which was held at Fairfield. He was a member of the Fremont Voters' Association.

W J MCGEE was born near Dubuque, Iowa, April 17, 1853; he died at Washington, D. C., September 4, 1912. Except for three or four terms in the public schools he was self-educated. In his earlier years he patented some agricultural implements, studied and practiced land surveying, read law and wrote for local papers. In 1875 he commenced the study of Indian mounds and relics in Iowa and Wisconsin. In 1877 he began a geological and topographical map of his own and neighboring counties, which he expanded the following year to include 17,000 square miles in northeastern Iowa. This work was done entirely at his own expense and was published in 1891 in the Eleventh Annual Report of the U. S. Geological Survey. In 1878 he published geological and anthropological papers in the American Journal of Science and in the Proceedings of the American Association for the Advancement of Science. In 1881 he examined and reported upon the building stones of Iowa. In the following year he became connected with the U. S. Geological Survey, his first work being a report upon the extinct lakes of Nevada and California. Later he was given charge of the coastal plain surveys in the eastern and southern states. In 1886 he went upon the ground and made a study of the Charleston earthquake, immediately after its occurrence. Upon the organization of the Geological Society of America in 1888 he became its editor, continuing in that capacity for four years. He also edited the National Geographic Magazine for a number of years. From 1893 to 1903 he was Ethnologist in charge of the Bureau of American Ethnology, during which time he explored Tiburon Island, making report on the savage tribe there never before studied. This position he resigned in 1903 to become Chief of the Department of Anthropology at the St. Louis Exposition. After 1907 he was a member of the U. S. Inland Waterways Commission. His geological maps of the United States and New York, published in 1885 and 1892 are standards, and his personal geological surveys formed the basis for the mapping of over 300,000 square miles. The National Cyclopaedia of American Biography states: "He formulated the method of correlation among geologic formations by homogeny or identity of origin; developed a natural or genetic classification of geology * * *; and did much to develop and was the first to apply the principles of geomorphy, or that branch of geology which deals with land forms." His publications include Pleistocene History of Northeastern Iowa, Geology of Chesapeake Bay, Lafayette Formation, Potable Waters of Eastern United States, Siouan Indians, Primitive Trephining in Peru, Seri Indians, Primitive Numbers, numerous scientific memoirs, and over three hundred articles. An extended biographical account will be published later, from the pen of Dr. Charles Keyes.

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G. J. Sullivan.

ANNALS OF IOWA.

VOL. XI, No. 2-3. DES MOINES, IOWA, JULY-OCT., 1918. 3D SERIES.

JEFFERSON COUNTY AT THE BEGINNING OF THE CIVIL WAR¹.

BY HON. CHARLES J. FULTON.

It was supposed in Iowa that the virulent boiling of the political cauldron of 1860 would subside after the Presidential election. The opinion prevailed that just as the North, having left its cause to the arbitrament of the ballot, would have acquiesced in the election of Breckenridge, strong as his proslavery professions were, had he been the legal choice of the voters, so the South for the same reason now would acquiesce in the election of Lincoln. "No trouble of a warlike character" was really anticipated. The wild and furious utterances of Southern sentiment were taken as the emanations of extremists who knew they must attain their ends, if at all, by quick, bold, audacious strokes. It was thought there was "a conservative element in that fiery mass of humanity" which would temper its conduct and render the threats of its agitators idle and vain.

This belief was destined to a short life. The course of events with each passing day more and more clearly pointed to the grim reality that there were those who sought a dissolution of the Union in order that their own selfish schemes might prosper. The perception and consciousness of the growing danger began to stir the latent patriotism of men's hearts.

The Ledger's Carrier's Address of January 1, 1861, tersely pictured the outward aspects of the Southern situation, but

¹From a chapter in a forthcoming history of Jefferson county.

contained no hint that a serious meaning was yet attached to them. These were the lines:

Ambitious leaders fain would tear
The bonds of Union wide,
And lay in dust that fabric fair
For which our fathers died;
For in the South a plot is laid
To urge Disunion's threat,
And mad appeals are daily made
By Yancy, Toombs and Rhett.

The first week of the year brought so much alarm that on the evening of January 8th was held at Wells' Hall in Fairfield, a union meeting for "consulting and expressing views on the subject of the present secession movement in the South." George Acheson was chosen president. Daniel Rider and Evan L. Craine were selected for vice-presidents, and R. C. Brown and J. A. McKemey for secretaries.

In assuming the duties of the chair, Mr. Acheson made a short speech:

"I did not come here," he explained, "as the political friend of the President elect, for it is well known in this community, and perhaps to all present, that I voted against him. I voted for his opponent—that statesman, Stephen A. Douglas—believing that the platform on which he stood—the doctrine of Popular Sovereignty in the Territories—was the only true solution of the vexed slavery question—and I think so yet. Neither, my friends, did I come here as a politician; but under the latter clause of the call for this meeting, I came as a lover of the Constitution and the Union—the Constitution and the Union as our Fathers framed them."

The election of Abraham Lincoln as President of the United States, he asserted, "having been regular and constitutional, it is the duty of every loyal citizen to insist upon his inauguration into that office." With an eager hope that the calamity of civil war would be averted, he believed "the safest and surest way to prevent our excited brethren in the South from resorting to force is to prepare to meet them on that basis—the unarmed man invites attack, whilst he who is prepared to meet his adversary, by that very preparation keeps him at

bay." Declaring that freedom of speech is "one of the dearest rights to free men," he prayed for the coming of the time "when this great blessing may be enjoyed as securely in Boston and New Orleans as it is today in Iowa." In concluding he expressed the wish that they might "say to the world, calmly and dispassionately, but firmly, that we love with undying devotion the Constitution and the Union as our Fathers framed them, and that we will love and defend them forever."

James F. Wilson, C. S. Clarke, Christian W. Slagle and William B. Littleton were named to formulate resolutions for consideration. After an interval, in which the Fairfield brass band rendered national airs and a choir sang Hail Columbia, Yankee Doodle and The Star Spangled Banner, this committee submitted the product of their conference:

Whereas, The peace of the Nation and the prosperity of the Union is threatened by the action of certain citizens of the United States, who are disposed to set the laws and authority of the Government at defiance; and *whereas* there is accumulating evidence from day to day of threatened resistance by force to the inauguration of the President-elect, thus throwing our Government into chaos and anarchy in defiance of the expressed will of the people; and *whereas* we are willing at all times to abide the verdict of the people at the Ballot Box, either State or National; therefore, be it

Resolved: 1st. That the existing state of public affairs requires a vigorous exercise of the power of the Government for the maintenance of its authority, and we believe it to be the duty of every loyal citizen to show his hand and array himself on the side of the friends of the Constitution and Union as our Fathers framed them.

2d. That our Government is based upon the theory that a majority acting under the Constitution shall govern, and Abraham Lincoln having in a constitutional manner been chosen by the majority as President of the United States, his inauguration into that office ought to be maintained and insisted on by every citizen.

3d. That we are now and forever in favor of the Union, its preservation and the maintenance of the rights of the States individually as well as collectively, and the present Constitution of the United States, so long as it exists, ought to be respected by every citizen, and the authorities acting under it in obedience to its provisions should be supported by the people *even to the resort of arms*.

4th. That we feel assured that our brethren in the disaffected portion of our country look upon the citizens of the Northern States as cowards, and therefore the best way to prevent them from resorting to actual force is to be prepared to meet them on that basis.

5th. That any attempt on the part of a portion of the citizens of the United States to resist or in any manner to prevent the inauguration of Abraham Lincoln will be regarded as revolutionary and treasonable.

6th. That we are in favor of the Constitution of the United States as it now exists, believing that its guarantees are sufficient to protect the interests of all sections.

7th. That we are not the enemies of any section and that we pronounce the charge of hostility on the part of the people of the North to the constitutional rights of the people of the South to be false and slanderous.

8th. That the gallant and patriotic conduct of Major Anderson meets our hearty approbation, and we declare should be supported by the Government.

The approval of "the resort of arms" to preserve the Union, the disclamation of Northern cowardice, the avowal of faith in the amplitude of the guarantees of the Constitution "to protect the interests of all sections," severally elicited some discussion in which George Acheson, Col. James Thompson, Ward Lamson, C. W. Slagle, Wm. B. Littleton and J. F. Wilson participated. In the end these views were endorsed and adopted with the remainder of the report, in the phrasing of the committee.

Wm. B. Littleton proposed two resolutions:

Resolved, That the course pursued by the extremists, North and South, in regard to the subject of slavery (which we believe to be the main cause of the present crisis) meets with our unqualified disapprobation.

Resolved, That we believe civil war for the maintenance of the Government, should only be resorted to when all other, and more judicious means, have been exhausted.

These did not harmonize with the mood of the meeting. The first was voted down. The second was amended by the substitution of another offered by J. F. Wilson, which compressed the whole issue into a simple positive statement:



*Your sincere friend,
Bernard & Wm*

Resolved, That this Government must be sustained, and the Union must and shall be preserved, peaceably if they can, and forcibly if they must.

The utmost enthusiasm prevailed throughout the proceedings which ended with "three tremendous cheers each, for General Jackson and the Constitution and Union."

Locally there was not yet any clear recognition of the imminence of an armed conflict. Even by the men best informed, though they must have had misgivings, it was only felt the Southern leaders were overbold and overconfident in playing what was characterized "the game of brag."

On the 2d of February a mass meeting assembled at Wells' Hall in response to an invitation addressed to "the citizens of Jefferson county who are in favor of a fair, just and immediate compromise of the Slavery Question in preference to a Dissolution of the Union or Civil War." The terms of compromise to be considered were not stated. The call was signed by thirty-one citizens. It was publicly charged that among these were some who held that South Carolina had a right to secede, some who affirmed that the success of the Republican party in and of itself was sufficient warrant for secession, some who asserted it was justifiable in the South to take possession of the Capitol of the nation and to prevent the inauguration of Lincoln, some who had announced a willingness to join the forces of the South and aid in waging war against the Government, some who had advocated the divinity of the institution of human slavery, and some who had boasted of their good rifles and at what distance they could bring down an abolitionist. These charges, the indefiniteness of the proposal, and the agitation pervading the community, brought out a large attendance in which were represented wide differences of opinion.

The morning was chiefly devoted to effecting an organization. Bernhart Henn was chosen to preside over the deliberations. Henry Stoner and Horace Gaylord were selected for the vice-presidents and I. D. Jones and W. B. Culbertson for the secretaries. Samuel Jacobs, C. W. Slagle, E. A. Harbour,

Joseph Ball and Wm. B. Littleton were named as the Committee on Resolutions. Owen Bromley, securing recognition, in the course of his speech stated that he was opposed to compromising with traitors. This remark drew a rebuke from the chair. D. Sheward, called upon to speak, communicated his purpose to establish a Democratic paper in Fairfield if he could get support enough. He favored compromise. He did not want war; but if that had to come, he wanted it to take place "right here." This address terminated the preliminary session.

The afternoon session opened with the reading of the resolutions by Samuel Jacobs:

Whereas, The American Union is now threatened with immediate dissolution; therefore, *Resolved*,

1st. That we are unalterably attached to the Union of these States, endeared to us by the glorious memories of the past, and which has given us peace and prosperity at home, and respect, consideration and power throughout the world.

2d. That whilst no foreign enemy invites us to the ordeal of arms, and when we have treaties of peace, friendship and commerce with forty-seven independent nations of the world,—when distant Japan sends hither her ambassadors laden with peace offerings, and the great-grandson of George the Third, the heir apparent of England's royalty, makes a respectful pilgrimage to the tomb of Washington—we present to the world the deplorable spectacle of the foremost nation of them all trembling on the verge of financial ruin, and soon to become, perhaps, "a land rent with civil feuds, and drenched, it may be, in fraternal blood;"—even now, the States, North and South, are arming for the conflict.

3d. That we concur in the sentiments of Andrew Jackson, expressed in his farewell address, that "the Constitution cannot be maintained, nor the Union preserved, in opposition to public feeling, by the mere exertion of the *coercive power* confided to the general government. The foundation must be laid in the affections of the people, in the security it gives to life, liberty, property and character in every quarter of the country, and the fraternal attachment which the citizens of the several States bear to one another, as members of one political family, mutually contributing to promote the happiness of each other. Hence the citizens of every State should studiously avoid everything calculated to wound

the sensibilities or offend the just pride of the people of other States; and they should frown upon every proceeding within their own borders likely to disturb the tranquillity of their political brethren in other portions of the Union."

4th. That we are in favor of the union of conservative men throughout the country, for the sake of the Union; and that we disclaim all party ties and platforms which stand in the way of the perpetuation of a Union that shall guaranty to the several States thereof full and equal rights under the Constitution—and this we believe to be the duty of all.

5th. That we hold it to be self-evident that unless there is a fair, just and prompt compromise of the slavery question, the process of dissolution cannot be arrested but that it will go on until there is a total and final severance between the free and the Slave States; and thus believing, we regard those who protest that there shall be "no compromise"—"no concession," and who recommend the immediate employment of force against the seceding States, or the people thereof—as actual enemies of the Union—not indeed in motive, but such in reality and in effect.

6th. That whilst the people of neither section of the Union are faultless, the citizens and States of the North should place themselves right upon the record and right in fact before they think of going to war with their brethren of the South.

7th. That the Fugitive Slave Law, and all other laws of Congress, should be obeyed, until they are amended or repealed, or decided to be unconstitutional by the appropriate judicial tribunal.

8th. That the Supreme Court of the United States is a tribunal erected by the Constitution itself as the legal and final interpreter of that instrument, in all those cases that are capable of assuming, and do actually assume, the character of suits at law, or in equity, and that the decisions of that court should be obeyed by all good citizens of the United States and executed in good faith.

9th. That we are in favor of a just and reasonable compromise of the Slavery Question, to be consummated, if necessary, by such amendments to the Constitution of the United States as comport with the spirit in which that instrument was originally formed, and which shall be consistent with its principles.

10th. That while a large portion of the meeting, perhaps a majority, are decidedly in favor of intrusting the people of the Territories with the power to provide by laws for the admission or prohibition of slavery, yet for the sake of the Union, we are willing to accept the compromise measures offered in the United States Senate by John J. Crittenden, or the proposition of Stephen A. Douglas; and as the measures of adjustment, recommended by the "Border States Committee," seem most likely, in their sub-

stance, to receive the sanction of the present Congress, we do most respectfully and earnestly appeal to the Senators and Representatives in Congress, from Iowa, to give those measures their support—but not to the detriment of any other just and equitable measure of pacification which can be adopted, and which may be more satisfactory.

11th. That no semblance of dishonor should attach to those Republican members of Congress, who in this terrible crisis, consent to a modification of their party platform in respect to slavery, but on the contrary, those who thus hold out the olive branch should be hailed as patriots and statesmen; because,

First—Although Abraham Lincoln has been constitutionally elected President and should be inaugurated and received as such by all sections of the country, yet he has been elected wholly by a majority of the people of the free States, against the solid electoral vote of the slave States.

Secondly—A majority of nearly one million of the American people cast their votes against Mr. Lincoln and his party platform.

Thirdly—The Supreme Court of the United States has decided that Congress has no constitutional power to interfere with slavery in the Territories.

Fourthly—A modification of said party platform is believed to be necessary to keep even the border slave States in the Union.

12th. That the Union-loving citizens of those Southern States who have labored and still labor with devotion, courage and patriotism, to withhold their States from the vortex of secession, are entitled to the admiration and gratitude of the whole American people.

13th. That the redress of existing difficulties cannot be effected by crimination and recrimination, but the times demand forbearance of feeling, and the calm maintenance of the constitutional rights of every State and of every citizen, of whatever section.

14th. That the maintenance inviolate of the rights of the States, and especially the rights of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political faith depends.

15th. That to the union of the States this nation owes its unprecedented increase in population; its surprising development of material resources; its rapid augmentation of wealth; its happiness at home and its power abroad.

16th. That the course pursued by the extremists North and South in regard to the institution of slavery (which we believe to be the main cause of the present crisis) meets with our unqualified disapprobation.

The approval of these declarations meant, at least on the part of Republicans, a repudiation or abandonment of fundamental party principles. By such course they would yield "that the Federal Constitution, the Rights of the States, and the Union of the States, must and shall be preserved." By such course they would accept "the new dogma that the Constitution, of its own force, carries Slavery into any or all of the Territories of the United States." By such course they would deny "that the normal condition of all the territory of the United States is that of freedom." By such course they would grant "the authority of Congress, of a territorial legislature, or of any individual, to give legal existence to Slavery in any Territory of the United States." The two political faiths would combine no more than oil and water. Not all who were sincere and patriotic perceived at the time the irreconcilable difference.

The discussion turned at once upon individual beliefs. Alvin Turner inquired whether those who subscribed to the Chicago platform were to be allowed to vote. The Chair's response in substance was, that if they considered that enunciation their ultimatum for a compromise, they were not entitled to vote. C. W. Slagle, defining his position, said that under such ruling he had no right to be there. Joseph Ball stated that he subscribed to the Chicago platform and that he was opposed to any concession to rebels that required a surrender of principles. Owen Bromley desired to know if his right to vote was recognized. The Chair denied him the right and refused to entertain an appeal to the house from this decision. J. F. Wilson explained his attitude. He was a "compromise man." There were traitors in the South in fact and in law. He would hang the leaders, but would grant amnesty to their misled followers, if they would lay down their arms, give up the property stolen from the general Government and behave themselves. The Chair called him to order and himself took the floor. He favored the Crittenden Compromise, although he did not like any compromise that would establish a line of demarcation through the country. M. M. Bleakmore thought that as other gentlemen were

permitted to present their ideas of a compromise, Mr. Wilson also should have the privilege. Charles Negus attended to meet men with certain sentiments, by that meaning men with courage to entertain a spirit of concession. Joseph Ball announced a determination to speak though all hell stood at his back. Col. James Thompson was in favor of compromising. There was no treason in advocating the principles of South Carolina. He did not want to shed his blood for the dirty, nasty quibble of letting niggers go into the Territories. The contention was brought to an unceremonious close by the Chair promptly putting the formal questions on the reception and adoption of the report. C. W. Slagle without success attempted to present a minority report. The resolutions were declared adopted. Amid much confusion adjournment was effected.

The rebuffs experienced in this meeting by those whose views were at variance with the purposes of its managers led to an open conference at night. This also was in Wells' Hall. Dr. C. S. Clarke accepted the position of Chairman on the condition that no gag law should be applied and that free discussion should be allowed. W. W. Junkin was Secretary. After an address by Owen Bromley on "the state of the country", A. R. Fulton, C. E. Noble and W. M. Clark were appointed to prepare an expression of the sense of the gathering in regard to the Compromise meeting.

A. M. Scott offered this sentiment which was approved:

Resolved, That it is no time to talk of Compromise when Treason and Rebellion are stalking abroad in the land. In *such* a time, the only proper compromise is a good dose of "*Old Hickory*."

J. F. Wilson, called upon to speak, denounced the Crittenden Compromise, or any such base surrender of principles on the part of the Republican party.

The committee submitted a report which was unanimously adopted. It defined the Compromise meeting, "in the language of Colonel Thompson," one of its principal actors, as a "'Democratic meeting'—used for Democratic purposes—the extension of slavery and the policy of rule or ruin." In

severe terms it arraigned Bernhart Henn. It declared him "entitled to the thanks of South Carolina traitors" for his enforcement of their maxim "that the minority shall rule the majority;" that, "while professing to act without prejudice," he manifested throughout the entire proceedings, "the most bitter and uncompromising partisan spirit;" that, "in his action as presiding officer," he recognized and applied "the slave-driving opposition to the exercise of free speech;" that, "in deciding motions carried which were lost," in refusing to sustain motions from any save his partizan associates or to entertain appeals from his decisions "he exhibited a perfect fitness to assist in advancing the work required by the interests of Southern rebels." It further asserted that the resolutions he declared adopted had been carried only by his decision, not by the votes of the persons present; and that they did "not embrace a fair expression of the sentiment" of the majority who "were opposed to any compromise which would be a sacrifice of principle."

A communication from Henry Stoner and Horace Gaylord was given to the public withdrawing "in justice to themselves" their names as vice presidents from the proceedings of the Compromise meeting, for the reason that it "was not conducted according to Parliamentary usage, and did not express the true sentiments of the people present, much less of the people of the county, and for the further reason that under the arbitrary and unprecedented ruling of the Chairman, B. Henn, a large portion of the people present were 'gagged' down and not allowed to express their views."

C. W. Slagle read the resolutions which he and Joseph Ball had advocated in the committee and sought to present in a minority report to the Compromise meeting:

Resolved. 4th. That we are opposed to any amendment of the Constitution of the United States which shall fix the institution of slavery upon the people of any State or Territory beyond the power of the people of such State or Territory, during the existence of either a State or Territorial Government, to reject said institution of slavery through their legally constituted authorities, and preserve their State or Territory free, if they desire so to do.

5th. That the right of a State to secede from the Union is a doctrine not recognized by the Constitution of the United States.

6th. That the conduct of the seceding States in their acts of secession, seizure of the property of the Government, and defiance of the laws, is either right or wrong. If right, they should be sustained; if wrong, they should be condemned. In the opinion of this meeting they are wrong.

Early in the month a portion of the citizens of Des Moines township met at the Brick College "to consider the threatening dangers" of the country. Alexander Clark was chairman; Abraham Teter and Reuben Ellmaker were the clerks. These resolutions were offered and adopted:

Whereas, A portion of the States of our Federal Union have withdrawn; and *Whereas*, We believe that unless some compromise is effected other States will withdraw, thereby destroying our Government; and *Whereas*, We believe the dangers threatening our country is owing to a belief entertained by the people of the Southern States, that a growing majority of the North will eventually, either by an open violation, or misconstruction, or by an alteration of the Federal Constitution, deprive them of their rights as they now exist in the Government, therefore,

Resolved. 1. That we are indebted to the union of the States for our great prosperity as a nation. That we believe a dissolution of our Government would bring upon all parts of our widely-extended country direful calamities; perhaps the worst evils that could befall us, civil war; and the entire destruction of our civil and religious liberties.

2. That as our fathers formed our government by mutual concessions and compromise, we believe it is the duty of every patriot to make every reasonable concession to perpetuate it, therefore as a compromise, and for to move the question of slavery entirely from the halls of Congress, and to dispel from the minds of the people of the South the belief that we ever intend to, or even can deprive them of their rights in the Union, and to restore peace and harmony to the country, we are in favor of the amendments to the Constitution proposed by Senator Crittenden.

3. That we are opposed to any action of any of the States of the Union of a warlike nature, believing such action calculated to beget like action in the other sections of our country, and of adding fuel to the flame of excitement already burning too fiercely.

4. That we will discountenance all newspapers and periodicals that pursue a course calculated to keep up sectional strife; that we will by our influence and by our example and by our votes discountenance sectionalism in all its forms.



James F. Fulton

From a photograph by Brady in John A. Kasson Collection, Historical Department of Iowa.

5. That we believe it is the duty of the Legislature of every State of this Union to repeal all laws which hinder the full and free operation of the fugitive slave law, believing such laws to be a violation of the compact that binds these States together.

6. That the Union of these States can only be preserved by restoring the fraternal feeling that existed in the early days of the Republic; that the Union cannot be preserved by coercive measures on the part of the Federal Government.

7. That if such feeling cannot be restored as will enable us to live in peace and harmony, we are in favor of a mutual and peaceful separation, and of an amicable division of the public property.

8. That whilst we justify Major Anderson in removing the forces under his command to the most secure fort in Charleston harbor, we must condemn the spiking of the guns in the vacated fort as being eminently calculated to provoke an attack; that we utterly condemn as the greatest outrage the action of Southern States in taking possession of United States property.

9. That we will co-operate with all men independent of party ties who will unite with us in carrying out the foregoing views.

On February 7th, seventy-seven citizens of the county addressed through Samuel R. Curtis a letter of thanks to John E. Bouligny, a congressman from Louisiana, for his "manly and bold declaration of devotion to the American Union" in the House of Representatives.

They wrote:

You seem to understand us at the North, your people do not. We are their friends, but they think us enemies. Our principles are not understood at the South; we have been slandered and misrepresented. And these base slanders have been believed by your people. They will not hear us, and if they do they will not believe us. We trust and hope that Time and the unfolding of events will prove to them that under all circumstances and at all times we will respect and guard all their rights in the Union and under the Constitution. As reasonable men they cannot demand more, as just men we cannot grant less, and as honorable men we cannot grant more. We will, therefore, bide our time, until we are heard and understood, believing that then confidence, peace and goodwill will be restored, and our happy but now distracted country will renew her course of honor and glory.

In his acknowledgment of the compliment was an inspiration:

If they are lovers of this Union, as I doubt not they are, and devoted to the flag of our common country, then I accept most gratefully their sympathy. Under the stars and stripes I was born, and under them I hope to die.

About the middle of the month the citizens of Coalport and vicinity formally expressed their sentiments in regard to the "distracted state" of the country. N. Patch was made chairman and T. C. Evans, secretary. Resolutions drafted by J. W. Planett, A. R. Pierce and T. C. Evans were discussed and adopted:

Whereas, Believing that the true issue between the North and the South is that of the equilibrium of representation, and that the extension or non-extension of slavery is only secondary to that of power, therefore,

Resolved, 1. That we deprecate the present efforts of some of our political partizans to raise up party strife on a sectional basis.

2. That in our opinion the Chicago platform embodies no principle or idea contrary to the Constitution of the United States, and in that belief we will stand by it as the exponent of the principles of the Republican party.

3. That we look with approbation and pride on the firmness with which our Representatives in Congress resist the aggressive demands of the South.

4. That secession is rebellion, and rebellion treason; and that it is the duty of the general Government to enforce the laws.

5. That if the Republican party consent to pass any of the compromises offered by the South, it will merit the contempt of the civilized world.

6. That we are prepared, at whatever sacrifice it may require, to defend the Constitution of the United States as it is.

7. That any interference with the free navigation of the Mississippi river will not be tolerated by the North-western States.

8. That we consider the leaders of the Disunion movement as traitors, and that it would be dishonorable and cowardly to accept any compromise they offer.

A little later was published over the signature of Samuel Jacobs a defense of the "Union Meeting" which favored com-

promise. A few sentences will throw in relief his own mental attitude at least:

Personal and political considerations should be cast aside in the present extraordinary and appalling crisis. I hope Democrats and Republicans will cordially unite in a common effort to save the country from ruin. * * * There is yet time to compromise, thanks to the heroic States of Virginia, Kentucky, and Tennessee who have run up the flag of truce, and temporarily, at least, stopped the progress of dissolution, in the hope that an amicable adjustment can be made, satisfactory to all sections. Let us give the Union men of the South such a compromise as will enable them to defeat secession and anarchy in their respective States.

The issue to be faced was becoming clear. Secession was in the air. "Secession is treason. Those who talk about the rights of secession talk about the rights of traitors. The word secession is not so palpable and odious as that of traitor. It sounds better and does not smack of treason to the Government. No State has a right under our Constitution and laws to secede. It is treason—nothing less." Such was the character of the reasoning which appealed to the common mind. Under its leavening force, political uncertainty was ripening to pass away, and patriotism was budding to break into perfect flower.

When the news of the peaceful inauguration of Lincoln was received, there was a universal feeling of relief. It was a happy omen. In Fairfield there was a demonstration at night. Anvils were fired. The Wide Awakes turned out and paraded the streets to the strains of martial music. Congratulatory speeches were made at the court house by Alvin Turner, C. W. Slagle, J. F. Wilson, Kirkpatrick and A. M. Scott. In this hour of jubilation the curtain which concealed the future still hid the impending dangers.

The wise appealing words of the President's Inaugural Address allayed much prejudice. They were another element in unifying the North against the destructive plans of the maddened and determined South.

PROPOSED IMPROVEMENT OF THE IOWA STATE CAPITOL GROUNDS.

BY EDGAR B. HARLAN.

[This matter was prepared as an address to be read to the Iowa Chapter American Institute of Architects, at its session in the Historical Building, October 22, 1913.]

It is a part of the business of the Historical Department of Iowa to co-operate and exchange thought with every other Iowa person and institution standing for true culture. In that service it has exchanged courtesies with creators as well as lovers of painting, sculpture, literature, and all the other arts. It is with peculiar satisfaction and appropriateness that the opportunity is accepted today, of exchanging thought with your society as our guests.

The Curator of the Historical Department of Iowa began early in his service with the Allison Memorial Commission (a duty conferred upon him by statute¹) to confer with mem-

LAWS OF IOWA, THIRTY-THIRD GENERAL ASSEMBLY, 1909, CHAPTER 251.

PEDESTAL FOR A MONUMENT TO BE ERECTED IN MEMORY OF WILLIAM B. ALLISON.

AN ACT to create a commission authorized to locate and erect a pedestal for a monument to the memory of the late William B. Allison and making an appropriation to defray the expense thereof.

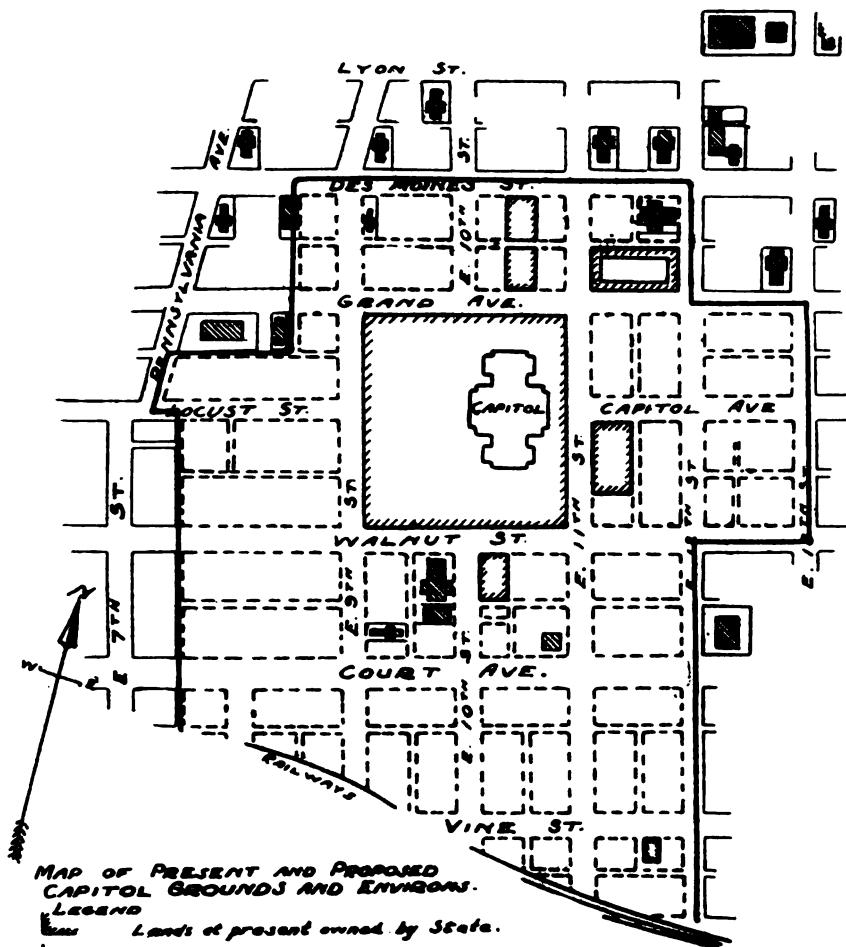
Whereas, Certain patriotic citizens have undertaken to create by public subscription a fund to be expended in the erection of a monument at the city of Des Moines, Iowa, to the memory of the late Senator William B. Allison, and

Whereas, It is necessary to provide a pedestal for said monument and a site for the same, therefore

Be it enacted by the General Assembly of the State of Iowa:

Section 1. Commission—how constituted. A commission of five persons, to consist of the chairman of the Allison monument committee, the governor of the state of Iowa, the curator of the historical collections, a member of the senate, to be named by the president of the senate, and a member of the house of representatives, to be named by the speaker of the house, is hereby created for the purpose of erecting a suitable pedestal upon which shall be placed a monument to the memory of the late William B. Allison.

Sec. 2. Powers. Said commission is hereby clothed with full authority to locate and erect upon the capitol grounds, or any extension thereof, a suitable pedestal to be used by the Allison monument committee in erecting thereon a monument to the memory of the late William B. Allison, and such commission shall have authority to do all things reasonable and necessary to the location and erection of such pedestal, and the design for said statue shall be approved by said commission;



MAP OF PRESENT AND PROPOSED
CAPITOL GROUNDS AND ENVIRONS.

LEGEND

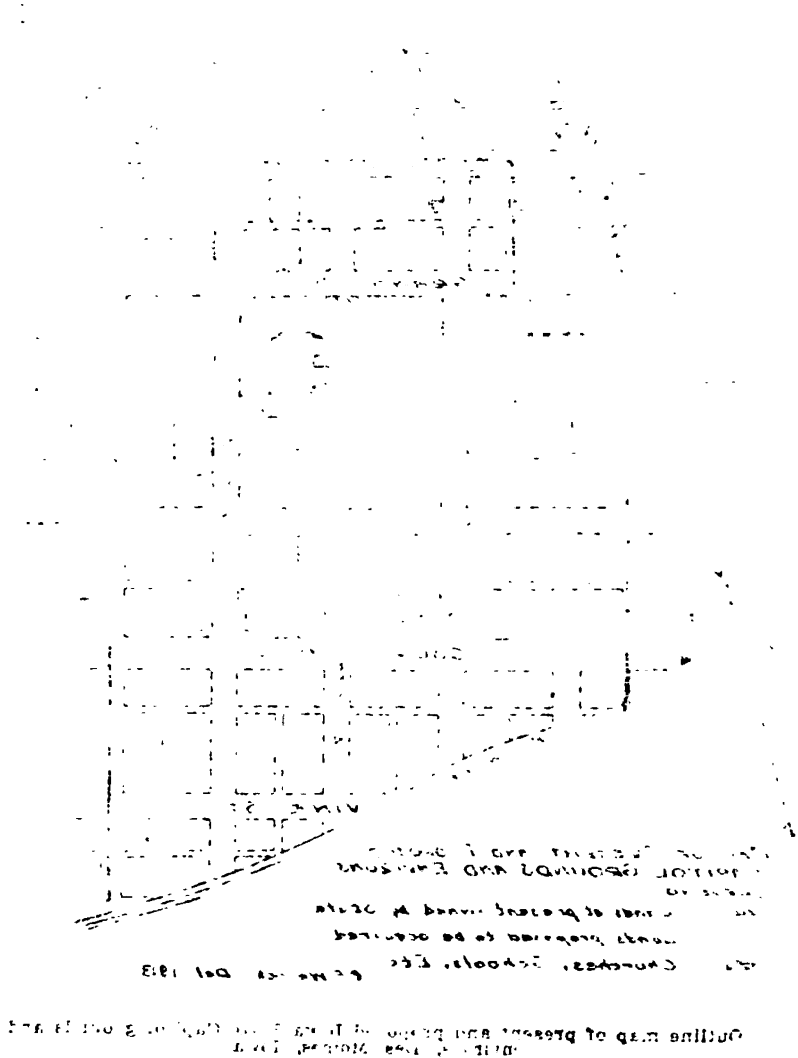
Lands at present owned by State.

Lands proposed to be acquired.

Churches, Schools, Etc.

R.F. Warrick, Del. 1893

Outline map of present and proposed Iowa State Capitol grounds and
environs, Des Moines, Iowa.



bers of your profession in Des Moines and other cities, with a view to fully fortifying his judgment along architectural lines. He thus arrived for the first time at a full comprehension of the ability of his associates on the Commission, and of their perception that their duty was not only to avoid mistake, but also to embrace a really magnificent opportunity; that is, while commemorating in sculpture, Iowa's great statesman, the Commission could and should in the selection of a site lead the State from an aimless policy of random placement of its State buildings, out upon the broad, sensible ground of regular, permanent, artistic arrangement. This would at once be a further tribute to the memory of Senator Allison* and a monument to the business ability of his generation.

The law creating the Commission provided that the memorial should be placed "upon the capitol grounds or some extension thereof." Your trained minds instantly perceive that however well the sculptor may say in plastic language, "This

provided, however, that said commission shall not expend in the erection of such pedestal a sum in excess of thirty (30%) per cent of the amount of the popular subscription made for the erection of said monument, and in no event shall said commission expend to exceed ten thousand (\$10,000.00) dollars.

Sec. 3. To serve without compensation—expenses. Said commission shall serve without compensation and shall be allowed only its actual expenses reasonably incurred while engaged in the discharge of its duties.

Sec. 4. Appropriation—how drawn. There is hereby appropriated from the funds in the state treasury not otherwise appropriated the sum of ten thousand dollars (\$10,000.00) or so much thereof as may be necessary to defray the authorized expense of erecting said pedestal and of said commission. The auditor of state is authorized to draw warrants against said appropriation upon the certificate of said commission showing that the several sums have, in good faith, been expended in the erection of said pedestal or in paying the necessary expenses of said commission.

Sec. 5. In effect. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved, February 23, A. D. 1909.

WILLIAM BORD ALLISON was born in Wayne county, Ohio, March 2, 1829. He received his early education at Allegheny College, Meadville, Pa., and Western Reserve College, Ohio. He took up the study of law, was admitted to the bar in 1850 and practiced in Ohio for seven years. Immediately upon his removal to Dubuque, Iowa, in 1857, he became an active and influential factor in Iowa politics. He served as delegate to the Republican State Convention in 1859 and to the National Convention that nominated Lincoln at Chicago in 1860. He was a member of the Governor's staff and aided in raising troops for the Civil War. He was elected Representative in Congress in 1863 and served until 1871. In 1873 he was elected United States Senator and was a member of that body continuously until his death, giving effective service as member and chairman of the appropriations committee and member of the finance committee. He was chairman of the National Monetary Conference at Brussels in 1892. He declined Cabinet positions offered him by Presidents Garfield, Harrison and McKinley. He was a candidate for presidential nomination at the National Republican Conventions of 1888 and 1896. He died at his home in Dubuque, August 4, 1908.

was one of the great American minds," our indifference as to where the work shall stand will say, "But it was a short-sighted generation in which that famous statesman closed his fruitful life."

And so it was that the chairman of this Commission, Gen. Grenville M. Dodge¹, one of the great builders of America, instantly approved the scheme of having the expert committee of trained men which had been invited to assist in the selection of the model, also advise upon the selection of the site. The National Sculpture Society, which delegated this committee, assigned to us, as sculptor expert, Mr. Karl Bitter², and as architect expert, Mr. E. L. Masqueray³. But the day

¹GRENVILLE MELLEN DODGE was born at Danvers, Mass., April 12, 1831. He attended Norwich University in Vermont and graduated in 1850 with the degree of C. E. The next year he graduated from Captain Partridge's Military Academy. In 1871 he was employed by the Illinois Central Railway and the next year by the Chicago & Rock Island Railway, and was assistant engineer during the construction of the Mississippi & Missouri Railway across the State of Iowa. He was a member of a government survey along the Platte for a railway to the Pacific, one of the first surveys to be instituted for that purpose. He fought through the Civil war and rose to the rank of Major-General of U. S. Volunteers. He was chief engineer of the Union Pacific Railway, 1866 to 1870, and of the Texas and Pacific Railway, 1871 to 1881. From 1867 to 1869 he served as member of congress from the Second Iowa District. In 1898 he was made president of the commission appointed to investigate the charges of mismanagement relative to the Spanish-American war. In addition to his interest in the Allison Monument Commission, General Dodge has been connected with many movements for perpetuating the memories of famous Americans. He was vice-president of the trustees in charge of the erection of the Grant monument, New York, and marshal of the day at its dedication, April 27, 1897; chairman of the committee from the Society of the Army of the Tennessee which obtained the appropriation and erected the Grant monument, Washington; chairman of the Sherman monument committee and commission, Washington; member of the committee in charge of the Logan monument, Washington; chairman of the committees in charge of the erection of the Lincoln and W. H. Kinsman monuments, Council Bluffs. He personally erected a monument to James Bridger at Kansas City and to Marshall F. Hurd at Denver. He has placed in West Point Memorial Hall a portrait of Maj. Gen. H. W. Halleck, one of Maj. Gen. J. B. McPherson and a bronze tablet commemorating the service of West Point men in the army. General Dodge was the representative of the Government to whom was assigned the duty of accepting the Iowa monuments placed in the national military parks at Shiloh, Vicksburg and Chattanooga.

²KARL THEODORE FRANCIS BITTER, sculptor, was born in Vienna, Austria, December 6, 1867, and was educated in the gymnasium there. He studied art in the Vienna Academy of Fine Arts, and came to the United States in 1889 and was employed in architectural sculpture.

He won a prize in the competition for the Astor memorial gates, Trinity church, New York, and executed sculpture on the administration and manufactures buildings of the Chicago exposition and for the residences of C. P. Huntington, Cornelius Vanderbilt, and others.

He obtained a silver medal at the Paris exposition, 1900, and gold medals at the Buffalo exposition, 1901, Philadelphia, 1902, and St. Louis exposition, 1904. He became a National Academician, 1902. He is a member of the National Institute of Arts and Letters and of the National Sculpture Society.

³EMMANUEL LOUIS MASQUERAY, architect, was born in Dieppe, France, September, 1861. He was educated at the Ecole des Beaux Arts, Paris, France, and received the Deschaume prize, 1879, Chaudesaigues prize, 1880, and a gold medal at the Salon, 1883. Mr. Masqueray came to

for the competition falling on the day of a previous engagement of Mr. Bitter, he yielded to Mr. Charles Grafly⁹, head of the sculpture department of the Pennsylvania Society of Fine Arts. So in the place of Mr. Bitter, Mr. Grafly came to Des Moines, and with Mr. Masqueray, Governor Carroll, General Dodge and the Secretary, under the provisions of the statute began the service of selecting the model and determining the site¹. Membership on the Commission from the Senate and House had expired, and vacancies remained until the convening of the Thirty-fifth General Assembly.

Mr. Masqueray led in the study of the placement of the memorial; with your speaker he visited the Capitol and all the grounds, streets, and alleys within a reasonable radius. We consulted General Dodge, Governor Carroll¹⁰, Secretary

America in 1887, locating in New York. He was chief of design at the St. Louis exposition, 1904, erecting there the Cascades, Colonnade of States and Pavilions, Transportation, Agriculture, Horticulture, Fisheries and Forestry buildings; also Louisiana Purchase monument and twelve bridges. He has also erected many important structures in various parts of the country, including Long Island College Hospital, Brooklyn, Cathedral of St. Paul, Pro-Cathedral of Minneapolis and a cathedral at Wichita, Kansas. He is at present erecting Archbishop Ireland's great cathedral at St. Paul. He is a charter member of the Society Beaux Arts Architects, and also a member of the Architectural League, New York, and of the American Institute of Architects.

⁹CHARLES GRAFLY, sculptor, was born at Philadelphia, December 3, 1862. He was a pupil of the Philadelphia Academy of Fine Arts and of Chapu and Damp, Paris. He received honorable mention Salon of 1891; Temple Trust Fund, Philadelphia, 1892; medal at the Chicago Exposition, 1893; silver medal, Atlanta Exposition, 1895; Converse gold medal, Pennsylvania Academy of Fine Arts, 1899; gold medal, Paris Exposition, 1900; Charleston Exposition, 1901; Buffalo Exposition, 1901. He was a member of the International Jury of Awards, St. Louis Exposition, 1904, and has been instructor in the Pennsylvania Academy of Fine Arts since 1892. Mr. Grafly is represented in the permanent collections of the Pennsylvania Academy of Fine Arts, Detroit Art Museum, St. Louis Museum and is a member of the National Institute Arts and Letters, National Sculpture Society and Philadelphia Art Club. He has done much notable work in busts, life size and colossal figures and portraits and ideal figures in groups, largely in bronze.

¹As a monument should be designed to fit its surroundings, it is important that before preparing the programme, the exact site or location of the proposed work should be determined upon, and that the promoters of the competition should be ready to supply competitors with plan and photographs of the site. The placing of a monument is a matter of the greatest moment, and to select the best site is more difficult than is generally supposed. It is a matter upon which the committee should secure expert advice. * * * The Society, while not assuming to dictate the owner's course in conducting competitions, entertains definite convictions as to the conduct of its own members, and in its by-laws has declared that it is unprofessional conduct for a sculptor to take part in any competition the terms of which are not in harmony with the principles approved by the Society as stated in its *Suggestions Relative to Competitions for Sculpture*.—*Suggestions for Sculptural Competitions by National Sculpture Society*.

¹⁰BERT F. CARROLL was born in Davis county, Iowa, March 15, 1860. He graduated from the Missouri State Normal, Kirksville, Missouri, in 1884, and received the degree of LL.D. from Simpson college in 1909. He was editor of the *Davis County Republican* from 1891 to 1902. He was Republican candidate for Iowa House of Representatives, 1893; member of Iowa Senate, 1895-8 (resigned); postmaster of Bloomfield, Iowa, 1898-1902; state auditor of Iowa, three terms, 1903-09; governor of Iowa, 1909 to 1913.

of State Hayward^{9b}, State Auditor Bleakly^{9c}, State Treasurer Morrow^{9d}, Secretary Davison^{10a} of the Executive Council and many others with reference to the immediate and eventual need of other structures.

We searched pertinent resolutions and bills introduced into the different legislatures; we read reports of departments for ten years or more and ascertained the present and proposed improvements of like nature in other states¹¹; we examined all

^{9b}WILLIAM C. HAYWARD was born in Cattaraugus county, New York, November 22, 1847. He removed to Winnebago county, Iowa, in 1867. He taught school for several terms and entered the Iowa State College of Agriculture and Mechanic Arts as a member of its first class. He returned to Winnebago county, was elected county surveyor and purchased a half interest in the *Winnebago Press*. In 1873 he removed to Garner, purchased the *Hancock Signal*, and served as postmaster for eleven years. He was one of the organizers of the City Bank of Garner and its cashier. He later engaged with William Finch in the grain, coal and stock business, operating twenty-five stations in Iowa, Minnesota and South Dakota. The headquarters of the firm were removed to Davenport in 1886 and Mr. Hayward removed to that city. He was president of the Union Savings Bank of Davenport, president of the Davenport National Bank, and a member of the Davenport school board for nine years. He was elected State Senator in 1897 and served through the Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth and Thirty-first General Assemblies. In 1906 he was elected Secretary of State and held that office for three terms.

^{9c}JOHN L. BLEAKLY was born in County Fermanagh, Ireland, February 17, 1857. He emigrated with his parents to the United States in 1863, settling in Illinois and removing to Linn county, Iowa, in 1872. He was educated in the public schools of Illinois and Iowa and the Cedar Rapids Business College. After teaching for several years he engaged in the banking business and later in the mercantile business in Ida Grove. In 1903 he was elected State Senator from the forty-sixth district and served in the Thirtieth, Thirty-first, Thirty-second and Thirty-third Extra General Assemblies. He was elected Auditor of State in 1908 and re-elected in 1910 and 1912.

^{9d}WILLISON W. MORROW was born in Guernsey county, Ohio, January 4, 1850. He removed with his father's family in August, 1864, to Iowa, and located near Afton, in Union county. The land upon which the family settled in 1864 is a part of the farm now owned by Mr. Morrow. He was educated in the public schools of Afton and graduated from the high school. Mr. Morrow represented Union county in the Twenty-third and Twenty-fourth General Assemblies and was a member of the board of directors of the State Fair Association for eight years, serving one year as vice president. He was state treasurer from 1906 to 1912.

^{10a}ARTHUR HENRY DAVISON was born in Blooming Valley, Crawford county, Pennsylvania, March 6, 1857. He attended the public schools of that county and graduated with the degree of Bachelor of Didactics from the Pennsylvania State Normal School at Edinboro. He removed to Lyon county, Iowa, and engaged in school teaching and the real estate business. He served as county superintendent of schools of Lyon county. For eleven years he was a director and for several years chairman of the board of directors of the Rock Rapids schools. In 1893 he was elected to the Iowa House of Representatives from Lyon and O'Brien counties and served through the Twenty-fifth General Assembly. Mr. Davison was appointed Secretary of the Executive Council of Iowa in January, 1899, continuing in that office to the present time.

¹¹ Buenos Aires, city plan, removing 40 squares.....	\$200,000,000
India, city plan, new civic center.....	50,000,000
San Francisco, city plan, architect awarded for design.....	25,000
San Francisco, exhibition buildings.....	80,000,000
Queens County, N. Y., city development.....	10,000,000
Philadelphia, parkway system.....	2,000,000
Madison, Wis., city plan and capitol.....	5,000,000
Texas, Steel City, Schwab interests.....	5,000,000
Utah, state capitol.....	2,500,000
New York City, new thoroughfares, Ernest Flagg, architect....	24,000,000
Jefferson City, Mo., city plan and capitol.....	10,000,000

—Abstract from six months' file of the *American Contractor*, in letter of J. Devereux York.

the Executive Messages, and took special notice of those of Governors Larrabee¹², Shaw¹³, Cummins¹⁴, Garst¹⁵, Carroll and Clarke¹⁶. There is probably no better way of tracing cur-

¹²WILLIAM LARRABEE was born in Ledyard, Connecticut, January 20, 1832. He received a common school education in Connecticut and spent two months in a private academy; came to Iowa in 1853; taught school in Hardin, Allamakee county, for a time and worked on a farm for three years. In 1856 he engaged in the milling business in Clermont and continued until 1873, when he sold his milling business and spent three months in Europe. On his return he engaged in banking and farming and continued in the enlargement of his interests in Iowa banks and Iowa farms throughout his life. He was one of the arbiters which appraised the property of the Green Bay and Mississippi Canal company preparatory to its transfer to the United States government. In 1867 Mr. Larrabee was elected to the State Senate and was four times thereafter nominated by acclamation. In 1885 he was elected governor and his administration was marked by the influence he exerted on legislation, especially along the lines of railroad regulation and the suppression of intemperance. Larrabee's "Railroad Question" is considered an authority. When the legislature passed the Board of Control law, Governor Larrabee was selected for chairman of the board. He was chairman of the executive committee of the Iowa commission of the Louisiana Purchase Exposition at St. Louis. He died at Clermont, Fayette county, Iowa, November 16, 1912.

¹³LESLIE MORTIER SHAW was born in Morristown, Vermont, November 2, 1848. He received his early education in the common schools and academy in Vermont. He moved to Iowa in 1869 and in 1874 graduated from Cornell college, Mt. Vernon, Iowa. In 1876 he graduated from the Iowa College of Law, located in Denison and combined the practice of law with an extensive loan business. He was elected governor of Iowa on the Republican ticket in 1897, and served for two terms. He was chairman of the sound money convention which convened in Indianapolis in 1898. At the expiration of his second term as governor, in 1902, he was appointed secretary of the treasury by President Roosevelt and held that position until 1907.

¹⁴ALBERT BAIRD CUMMINS was born at Carmichaels, Pennsylvania, February 15, 1850. He was educated in the academy of Waynesburg, Pennsylvania, and received the degree of LL.D. at Waynesburg college in 1903 and at Cornell college, Iowa, in 1904. Mr. Cummins studied surveying and became assistant chief engineer of the Cincinnati, Richmond and Fort Wayne R. R. He studied law in the offices of McClellan and Hodges, Chicago. He was admitted to the Illinois bar in 1875 and practiced in Chicago from 1875 until 1878, when he removed to Des Moines, Iowa. He was a member of the Iowa House of Representatives, 1888; presidential elector-at-large, 1892; candidate for United States senator, 1894 and 1900; chairman of the Republican state convention, 1892 and 1896; member of the Republican National Committee, 1896-1900; delegate to the Republican National conventions, 1892, 1896, 1900, 1904; governor of Iowa from 1902 to 1908; elected United States senator November 24, 1908, for unexpired term (expiring March 3, 1909), of Senator Allison, deceased; re-elected for term, 1909-15.

¹⁵WARREN GARST was born at Dayton, Ohio, December 4, 1850. He removed to Illinois with his parents in 1858, and in 1859 he established himself in business at Boone, Iowa, later going to Coon Rapids, Carroll county, where he and his brother opened a general merchandise store. To this business Mr. Garst has devoted himself for years. In addition to this he has been interested in farming and banking. He served during the Twenty-fifth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth and Thirty-first General Assemblies. He assumed the office of Lieutenant governor on January 17, 1907, and became Governor on November 25, 1908, on the election of Governor Cummins to the United States Senate.

¹⁶GEORGE W. CLARKE was born in Shelby county, Indiana, October 24, 1852. He removed with his parents to Davis county, Iowa, in 1856, and worked on a farm until manhood. He taught school twelve months and graduated from Oskaloosa college in 1877, and from the law department of the State University of Iowa in 1878. Immediately upon his graduation he began the practice of law in Adel and continued in this profession until his election as governor in 1912. He was a member of the House of Representatives in the Twenty-eighth, Twenty-ninth, Thirtieth and Thirty-first General Assemblies and was speaker in the Thirtieth and Thirty-first General Assemblies. Mr. Clarke was elected lieutenant-governor in 1908 and re-elected in 1910. On January 17, 1913, he became Governor of Iowa.

rents of popular thought. State pride is revealed, shortcomings are stated and remedies suggested, limitations are defined and ways and means outlined. The subject of correcting and completing the Capitol equipment as a part of State policy is usually expressly advocated. Even at the time the removal of the capital from Iowa City and the construction of the Capitol were bitter political issues, no Chief Executive ever stood against providing that the future might build as it needed. In the evolution of the plan to correct and complete the Capitol grounds, the following Executive expressions have had their weight:

WILLIAM LARRABEE, *Second Biennial Message*, February 13, 1890.

The improvement of the capitol grounds ought to be begun at an early day. The grounds should be in keeping with the capitol, which is one of the most beautiful on the continent. The expense of properly laying out the grounds was estimated by the board of capitol commissioners at \$130,786.11. Since that estimate was made some grading has been done without expense to the State. The sum of \$125,000 would probably be sufficient to complete this work. The custodian recommends that \$50,000 per annum be appropriated for three years for the work on the grounds and the interior of the building.

LESLIE M. SHAW, *First Biennial Message*, January 8, 1900.

When the present capitol was built it was believed to be as commodious as the needs of the State would ever require. It has now been occupied sixteen years, and several of the departments are seriously congested. An arsenal is needed for the accommodation of the Adjutant-General's department. Storage of quartermaster supplies is now provided in a building rented for the purpose. It was found necessary to locate the board of control in committee rooms back of the senate chamber, which cannot well be spared from their designed use during session of the General Assembly. A warehouse for the storage and proper distribution of and reshipment of supplies for the various institutions under the management of the Board of Control is much needed and should be provided for at an early date. A new building for the memorial, historical and art department has been erected, and partitions and changes in various offices have been found imperative to make room for the several departments connected with the State government. Evidently additional buildings will be needed in the near future, and these, when erected, should be fireproof, and of substantial and presentable architecture, and should be so located as to improve and add dignity to the present capitol.

I recommend that the two blocks directly north of the capitol grounds be immediately purchased, or obtained under condemnation proceedings. Nothing will be saved by delay, and the erection of substantial buildings by the owners upon this property may materially add to the expense. Location of public buildings is a matter of prime importance, and I think it will be conceded that these two blocks are very desirable. No location is too good for Iowa, and none but the best should be considered.

ALBERT B. CUMMINS, *Biennial Message*, January, 1906.

In accordance with an act of the Thirtieth General Assembly, the Executive Council sold State Square for \$8,500. The authority so to do was accompanied with a direction to invest the proceeds of the sale in lots fronting upon Capitol Square. The Council has purchased one lot fronting on Eleventh St., between Capitol Ave. and Walnut, for \$2,250. It has endeavored to purchase other property, but has hitherto been unable to agree with the owners upon a price.

WARREN GARST, *Biennial Message*, January 12, 1909.

I feel that you and all the people of the State ought to be deeply interested in the matter of providing a suitable setting for our magnificent State Capitol. It stands today a monument to the good judgment of those who planned it and provided for its creation, and to the faithfulness and integrity of the self-sacrificing men who devoted the best of their lives to its building. Iowa can never pay its debt to Finkbine, Dey, Foote, Wright, Foreman and others of the Capitol Commission. They did their full duty; and partly in their honor and partly that we may complete what they so well begun, it seems to me there is an obligation upon this generation that we make the surroundings and approach to this great structure comport with its dignity and architectural beauty. We have provided in part for the interior decoration; we have neglected the exterior and environment. I would recommend, therefore, a commission authorized to purchase land adjacent to the capitol grounds, with the right of condemnation where necessary, and with funds sufficient to secure such land as may be deemed necessary to provide a beautiful boulevard of approach and surroundings. An appropriation of \$150,000 would probably suffice.

In making this recommendation I realize that there are those among you who may feel I have gone far out of my way; but I would call your attention to the fact that a very large part of the total cost of the present Capitol represents ornamentation. We ought to make the building and its surroundings beautiful. We ought to make the whole an object of pride to all our people, something that will be an inspiration to better citizenship and that will give Iowa higher standing in the family of states. I feel so deeply

upon this question, I am loath to leave it for the more practical matters, but I have full faith that after mature consideration you will see your way clear to provide for this commission.

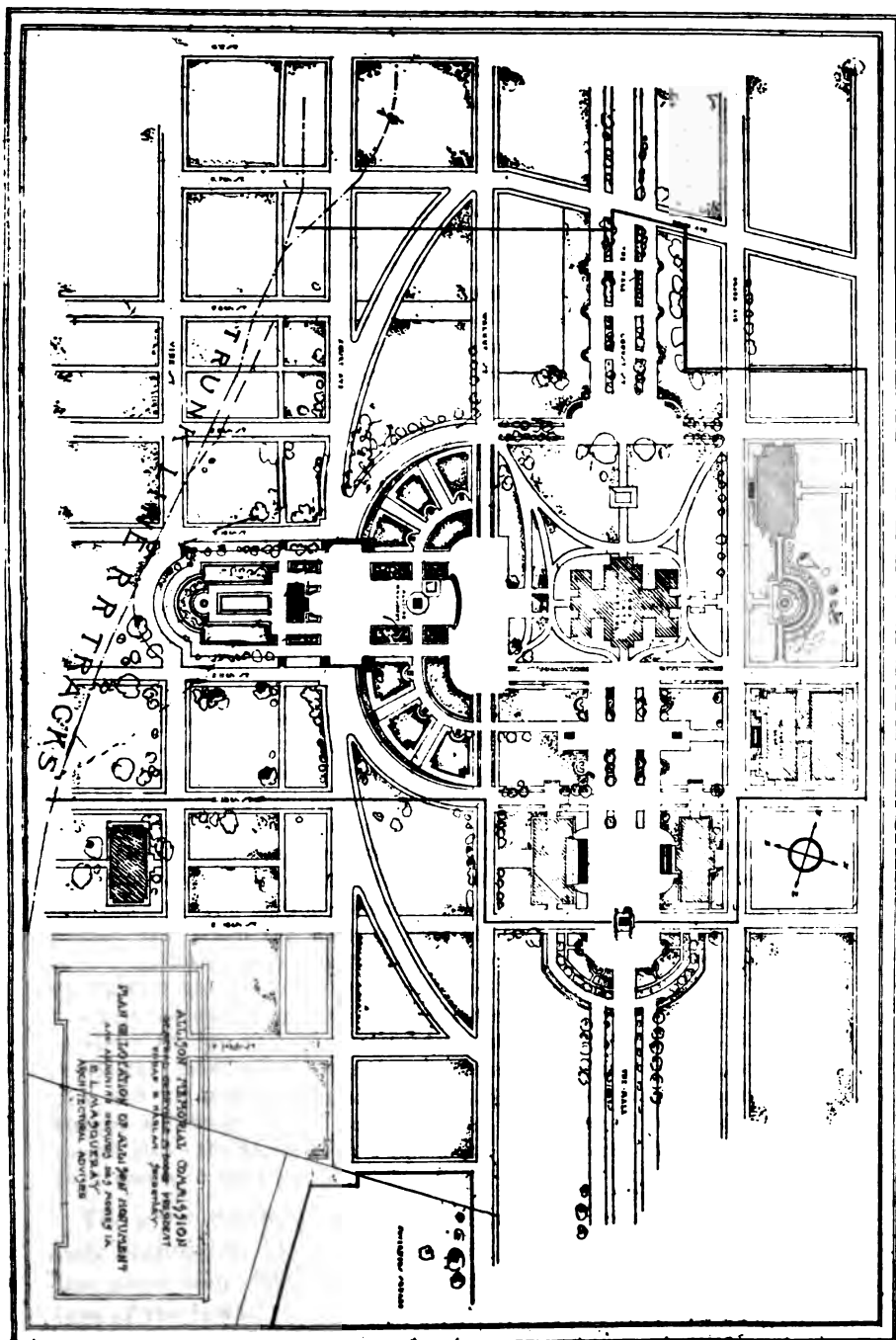
BERYL F. CARROLL, *Biennial Message*, January 14, 1913.

A comprehensive scheme for enlarging the Capitol grounds should be adopted by you and plans be made for the eventual acquiring of the lands to be added to the present holdings of the State. I would recommend that the State buy all the grounds lying between East Ninth and East Twelfth Streets, beginning at Capitol Avenue and extending to the railroad tracks at the foot of the hill to the south. The grounds thus acquired, lying south of Walnut Street, should be parked and beautified, and upon them should be placed the Allison monument and such other monuments as may be erected in the future, and when the State shall build an Executive Mansion, it should be placed upon the high point of ground to the southeast of the Capitol building. Upon the block immediately east of the State House and south of Capitol Avenue should be located a judicial building. I would also suggest that when the time comes that it is necessary to make any considerable improvement in the State's power plant, it would be wise to consider moving it to the foot of the hill, south and southwest of the State House, where it could be reached by a switch, thereby saving the large amount of money that is annually paid for hauling coal with teams and wagons, and also getting rid of the dirt and smoke and the somewhat unsightly appearance of a heating plant immediately in front of the Capitol building.

In suggesting the enlargement of the Capitol Grounds, I wish to say that the owners of some of the lots included in that which I have referred to, have already expressed a willingness to sell the same and some have submitted a price for their holdings. I want also to say that at two or three different times efforts have been made to secure a change of grade in some of the streets about the State House, which change would have a very material effect upon the surroundings if additional lands are to be acquired. The Council has each time objected to these changes and asked the parties interested therein to wait and take the matter up with you with a view to securing co-operation with the City of Des Moines and the State in some general plan of improving the State House surroundings, and I recommend the appointment by you of a committee to take this matter into consideration and co-operate with the officials of the city to the end suggested.

In my opinion the State might profitably dispose of Governor's Square, allowing the city to purchase it for a park if so desired, and invest the proceeds in lands above suggested for purchase.

Plan of location of Allmon Memorial and proposed placement of future State structures.



GEORGE W. CLARKE, *Inaugural Address*, January 16, 1913.

The subject of the extension of the Capitol Grounds is a matter that should have consideration. The day is now here when these grounds surrounding us should be more spacious and they should be made more beautiful. They do not meet the material demands of the present and for the future they will be entirely inadequate. The future should ever be in mind. We build for those who are to come after us. We should have a vision of what Iowa is to do and be. In the extension of the grounds regard should be had for a better setting of the Capitol. The whole question of the enlargement and location of buildings and monuments should at once be placed in the hands of the best landscape artist that could be found with instructions to prepare a plan commensurate with the needs and ideals of a great, progressive and cultured people. It cannot all be done at once, but a beginning can be made. Every day of postponement only makes the realization more expensive and difficult. What is done should be in accordance with a plan to end in both utility and great artistic beauty.

GEORGE W. CLARKE, *Special Message*, March 26, 1913.

I desire to submit a word with reference to the extension of the Capitol Grounds. It is the need of the present—it is the imperative demand of the future. It is a matter of the very best business policy. If looked at only as an investment it would be a remarkably good one. By extending the payment for the grounds over a period of ten years it would bring no burden at all upon the people. Never again can the purchase of ground be so advantageously made as now. Iowa should do business as competent successful business men do. Advantage should be taken of the time and the opportunity. Iowa should announce that she is of age and full-grown. She should step out of the old conditions that hamper and restrain her into the new. The legislature should be unafraid. The people will sustain you. When the work is done they will ever refer to you as the legislature that was far-seeing and wise enough to extend the Capitol Grounds. * * * What man is there of you that will lose this the greatest opportunity of his life to render a great public service. Listen not to the voice of selfishness. Tolerate not the "invisible" man. For more than ten years practically all legislation and all political agitation in this country has been against human selfishness. Let it proceed. The rights of all men must be put above the selfishness of a few men. Go forward. Your duty, as it seems to me, plain.

The great Soldiers and Sailors' Monument, conceived in a holy enthusiasm and carried out with every good intention, has never been officially dedicated. In the published proceedings of the Iowa Department G. A. R. are found these words:

The Iowa Soldiers and Sailors' Monument, which fitly commemorates the heroic acts of her sons during the greatest epoch of her history as a State, was completed and erected several years ago at a cost of over one hundred and fifty thousand dollars. The artistic merit of both design and execution is universally admitted. The reason for its erection was found in two well defined motives of our people: First, to commemorate the heroic deeds of her citizen soldiers and sailors, and second, to teach the present and all future generations of her people, the lesson of individual patriotism and collective appreciation of that virtue. The location of this beautiful monument is defeating both motives. Dwarfed and overshadowed by our Capitol Building, and hemmed in between a small church building on one side and unfit surroundings on the other, few if any of our people give it more than a passing glance. With such surroundings, the question may well be raised, does this monument in its present location fitly commemorate the deeds of the men for whom its erection was deemed proper? Its chief purpose is being daily defeated. If it were worth while to build this monument at all, it surely is entitled to a location where it can and will be seen by the citizens of this great State, who so generously erected it at great cost. Would it not be just as reasonable to turn the keys in the locks of our other great educational institutions, as to leave this educational factor securely put away from their view in its present location? It has been recently suggested that this monument be removed to the east bank of the Des Moines river, and located on an open square between the two main thoroughfares to the Capitol Building. There it would stand opposite and facing the City Library on the west bank of the river, and adjacent to the block where the new City Hall is being erected, and would rear its shaft in the open, and daily teach its lessons of patriotism and duty to thousands of the people of Iowa.

If the City of Des Moines can be induced, as I believe they can, to deed the State a sufficient plat of ground at the place suggested, I most cordially recommend that this organization use its influence with the next Legislature to pass an act authorizing and directing the removal of the monument to the proposed location. While I believe the cost of the removal will be fully compensated and warranted by the more perfect accomplishment of its purpose, I am persuaded that the project will in effect finance itself. The State must soon provide locations near the Capitol for additional State Buildings, and the vacating of the present site of the monument will release a valuable and suitable site for such purpose, which will more than compensate in value for the cost of removal.

I therefore recommend that this department, through its representatives, approve the suggestion of the removal of the monument

to the proposed new site, and that it use all honorable efforts to accomplish the same, and I would urge all comrades attending this Encampment to visit both the present and the proposed locations, that you may know personally the advantage of the proposed new site, and that each of you use your influence to bring about this change.

It will be a matter of great personal pride to your present Commander if this suggestion shall be adopted during his incumbency of the office, and I believe my successor will be equally gratified if the accomplishment of this loyal purpose should mark his administration".

At the same Encampment there was adopted the following:

Resolved, That it is the sense of this Department, in annual Encampment assembled, that all possible honorable efforts should be made to move the monument to the proposed site on the east bank of the Des Moines river, and that each Post in this Department be requested and urged to bring its utmost influence to bear upon the Representative and Senator from its district to bring about the proposed change".

To the Thirty-seventh annual Encampment in session at Muscatine the Commander, quoting this resolution, added these words:

Desiring to carry out the unanimously expressed wish of the Encampment, the attention of the Legislative Committee was called to the matter, and Senator Brown, a member of the committee drafted a bill, simply protecting the State in every way, for the purpose of carrying into effect the removal. Comrade Brown was untiring in his efforts to carry out your wishes, as he was in support of all measures that came before that body in the interest of the Veterans. So successful was he that he secured every vote of the Senate for the measure. The bill then went to the House and was taken charge of by Comrade Zeller, a member of that body. It was late in the session before the bill could be acted on, and some opposition developed in the House Committee on Appropriations to which the bill had been referred. A majority of this committee finally voted for indefinite postponement, with a minority report headed by Comrade Zeller for passage. Both reports were smothered in committee, the chairman refusing to report the bill to the House. Thus the project failed. It was not deemed necessary to have the full

¹⁷Address of Commander J. McDonald, Iowa Department G. A. R., Des Moines, June, 1910. *Journal of Proceedings, 36th Annual Encampment*, p. 18-20.

¹⁸Resolution, Iowa Department G. A. R., June, 1910. *Journal of Proceedings, 36th Annual Encampment*, p. 81.

Legislative Committee in attendance, although they would have responded if notified that their services were needed. Past Commander M. McDonald came on call more than once, and Comrade R. L. Chase, a resident of Des Moines, was continually on the ground, and his efforts were unceasing and valuable. He secured the assistance of the sub-committee of the Greater Des Moines Committee who rendered valuable aid. They are all entitled to your approbation. Senator Brown should receive the especial thanks of this Encampment for his faithful and untiring efforts to carry out your expressed desires. Considering what there was to contend against, most of the State Department being opposed to the removal, it is remarkable that it passed the Senate without a dissenting vote; and I am informed the votes were pledged for its passage in the House provided it came upon the floor. This Department will feel grateful to the Senate, and to those members of the House who pledged their support. Your Department officers had no more interest in the matter than any comrade, but felt it their duty to carry out so far as they could your commands. We failed; but the monument belongs to the State, and if the patriotic people of Iowa are satisfied to allow it to remain in a location that an expert in such matters remarked, "that it was almost an insult to the men it was intended to honor," to allow it to remain in its present location, where all the objects for which it was erected are lost, we ought to be able to stand it. My advice would be to allow all future efforts in that direction to be furthered by those interested, without suggestion from the Grand Army of the Republic¹⁹.

The Encampment adopted a special resolution as follows:

Past Department Commander M. McDonald: I wish to offer a resolution for the benefit of the Encampment. It is this:

"Resolved, That the thanks of this Encampment are tendered to Comrade John D. Brown, a Senator in the Thirty-fourth General Assembly, for his untiring efforts to carry out the expressed desires of the Department, and also for his zealous activity for all legislation in the interest of the Veterans."

Commander, in my report a year ago I suggested that the monument that was scarcely seen by a few be removed down to the river bank, where it would be an instructive object for all time to come. The Committee on Commander's Address approved of it, and as I was on the Committee on Legislation we went down to see if we could induce the legislature to appropriate a small sum of money to carry out the request of that Encampment. Through the activity of

¹⁹Address of Commander H. A. Dyer, Iowa Department G. A. R., Muscatine, June, 1911. *Journal of Proceedings, 37th Annual Encampment*, p. 15.

Comrade Brown it passed the Senate, as you were informed, with no vote against it. It went into the House and we were overjoyed, thinking that our request would be carried out, and that that beautiful monument would stay down there on the river bank where everyone who visited the City of Des Moines could not help but see it, and those that didn't know anything about your valor would ask: "What did that represent?" And they would say: "It represents the valor of the soldiers of Iowa." It was defeated in the House, much to our regret, but I want to say to you, my comrades, being there two or three times during the winter, and seeing the activity of Comrade Brown, there is nothing in the gift of this Department that is too good for that man. That is the reason I want to say that I would like some time to see him rewarded for his generosity.

Comrade T. R. Bickley, Post 69: Second the motion.

Past Department Commander Chas. A. Clarke: Commander, I am glad to second the adoption of the resolution.

The motion to adopt the resolution was then put and duly carried^a.

To the Thirty-eighth Annual Encampment the Department Commander said:

Your Commander deems it wise to have your attention again called to the propriety of remedying a great mistake by a former General Assembly, in location of the monument. It should not require a great amount of wisdom to understand that the monument, to be of any educational advantage, should be located where large numbers of people continually pass and repass in its vicinity. And where its public location would protect it from vandals, which is not the case now. All the walks that can be built from any angle leading from the State House will not persuade or cajole people to go out of their way to visit the monument. The walk now under construction is a poor makeshift, suggested by those opposed to the monument's removal. It is a modest suggestion, that it might be well to change the location during the lifetime of a few of the men in whose honor and memory it was erected. It might thereby create sufficient interest among our people to at least dedicate it to the purpose for which it was intended. I leave the matter in your hands for such action as you deem best^a.

^aResolution, Iowa Department G. A. R., June, 1911. *Journal of Proceedings, 57th Annual Encampment*, p. 92-3.

^aAddress of Commander Lot Abraham, Iowa Department G. A. R. Mason City, June, 1912. *Journal of Proceedings, 58th Annual Encampment*, p. 15-16.

Among the resolutions adopted is the following:

Resolved, That we heartily endorse that part of the report of Department Commander Abraham concerning the removal of the Iowa Soldiers and Sailors' Monument to a more suitable site in the City of Des Moines²¹.

At the Home-Coming Encampment, in Des Moines, June, 1913, the Thirty-ninth Annual Encampment, the Commander, Capt. John D. Brown, in his annual address, made no reference to the removal of the Soldiers and Sailors' Monument, but at the Camp Fire, Tuesday evening, June 10, 1913, Gen. Grenville M. Dodge, being introduced, spoke as follows:

This year our governor and legislature have performed a great service to the veterans of the State, in enlarging our Capitol Grounds and in giving the proper setting to our Memorial Monument (applause), to our war veterans, and when their work is completed as planned, then those that follow us will look back upon it as one of the most beneficial acts of our State, and give the credit due to our governor and our legislature for their foresight and patriotism. And I hope every comrade while he is here will go up on the Capitol Grounds and look at it as it is today, and then go into the Capitol and see the plan of what it will be in a few years more, and what our monument there will be, that everyone will go to see it, and I hope that Commander Brown, the commander of the G. A. R., will take the proper action for the veterans of Iowa in thanking that legislature and the governor for their great work for us. (Applause.)²²

In the session of June 12th, the committee on resolutions, consisting of John F. Lacey, Henry H. Rice, A. W. Jaques, Henry Karwarth, E. A. Snyder and M. W. Harmon, reported among other resolutions the following:

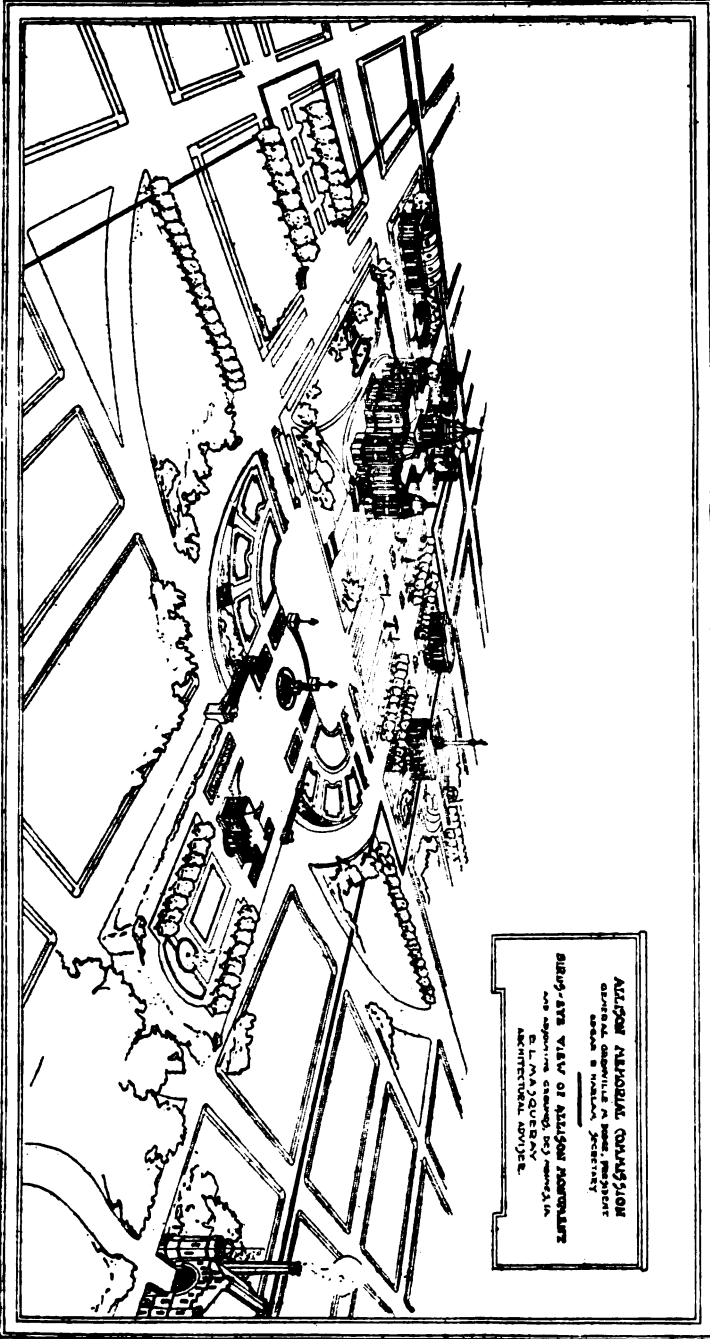
Resolved, That we approve of the enlargement of the Capitol Park so as to make the grounds suitable in area and character for the patriotic monuments and memorials already erected and that may hereafter be required by our prosperous commonwealth.

On motion of Major Lacey, adopted²³.

²¹Resolution, Iowa Department G. A. R., June, 1912. *Journal of Proceedings, 38th Annual Encampment*, p. 73.

²²Address of Gen. G. M. Dodge, before Iowa Department G. A. R., Des Moines, June, 1913. *Journal of Proceedings, 39th Annual Encampment*, p. 124-5.

²³Resolution, Iowa Department G. A. R. June, 1913. *Journal of Proceedings, 39th Annual Encampment*, p. 49.



ALLSTON MEMORIAL QUADRANGLE
 COURTESY OF THE ALLSTON MEMORIAL QUADRANGLE
 BOARD OF TRUSTEES, SECRETARY
 AND SUPERVISOR OF THE ALLSTON MEMORIAL
 QUADRANGLE, ARCHITECTURAL SERVICE.

Outline birds-eye view of possible improvement upon grounds authorized to be acquired by the State.

Special attention therefore has been given to the eventual appropriate treatment of our great Soldiers and Sailors' Monument. With grounds ideally enlarged and treated, with the certainty that the monument will outlast even the Capitol itself, the center of the viewing population upon State property will be eastward of the latter. The mass and height of the monument, the honor in which the men and events it commemorates will forever be held, demand its placement at the intersection of the two principal streets of the enlarged grounds, on the easterly axis of the Capitol. There in the center of such a parade ground as would admit of appropriate patriotic or military occasions, now impossible except in streets, with its four sides clearly visible a thousand feet and more, its grandeur and impressiveness would be incalculably enhanced. The best thought is that this great work, after its ideal placement, shall be regarded as the deliberate artistic expression of the generation producing it and even if any slight deficiency of artistic merit then remain, the whole will be of too sacred a character to be touched by other hands. For the average mind will more and more revere it as the sacrifice which it betokens farther and farther recedes, and as tradition more and more hallows the monument itself.

Out of all this was brought a plan contemplating:

1st. The immediate and correct placement of the Allison Memorial, contracted to be erected in 1915, at a cost of \$50,000.00.

2d. The eventual appropriate placement of our great Soldiers and Sailors' Monument.

3d. The eventual removal of the heating plant to the railroad, relieving the State of the perpetual hauling of coal and ashes and saving the priceless property from the insidious but fatal work of gas and smoke.

4th. Provision for an eventual office and storage room for the Adjutant General, which at present costs the State an annual rental of about \$5,000.00.

5th. An eventual Executive Mansion, such as has already been provided in Montana, Nevada, Tennessee, Texas, Vir-

ginia, West Virginia, Nebraska and New York, and is proposed in other states.

6th. Provision for eventual office buildings such as are proposed in California, where ornamental grounds of some thirty-one acres, instead of being impinged upon for a building site, are being protected by the purchase of adjacent grounds at a cost of nearly \$700,000.00. Many other states already have or contemplate similar equipment in buildings other than their capitols.

7th. Provisions for an eventual Supreme Court building, wherein the priceless records of that tribunal, together with its library and other indispensable auxiliaries may have perpetual growth and constant accessibility; such buildings have been provided in the states of Connecticut, Florida, Illinois and Missouri, and are proposed in other states.

8th. Mr. Masqueray observed and proposed the restoration of the natural scenic value of the capitol site; recognized the probable commemoration in future by monuments and other structures of noted men and events of Iowa; the lack of parade grounds so greatly needed on occasion; the value of an unobstructed view from trunk line trains but a thousand feet away²⁵.

There is danger of surrounding areas becoming unsightly, rendering the whole in some sense incomplete. It was, therefore, thought proper to suggest the acquisition of an area in

²⁵The writer was of the company when Right Hon. James Bryce, British Ambassador, on his last visit to our State, inquired what building it was whose gilded pinnacle he could see from his train. "That is the Capitol of Iowa," Governor Carroll responded, "I think our people will improve the surroundings soon." The Ambassador then uttered the substance of his well-known remarks to the American Civic Association, to which he said:

"The world seems likely to last a long, long time, and we ought to make provision for the future.

"The population of the world goes on constantly increasing and nowhere increasing so fast as in North America.

"A taste for natural beauty is increasing, and as we hope, will go on increasing.

"The places of scenic beauty do not increase, but, on the contrary are in danger of being reduced in number and diminished in quantity, and the danger is always increasing with the accumulation of wealth, owing to the desire of private persons to appropriate these places. There is no better service we can render to the masses of the people than to set about and preserve for them wide spaces of fine scenery for their delight.

"From these propositions I draw the conclusion that it is necessary to save what we have got, and to extend the policy which you have wisely adopted, by acquiring and preserving still further areas for the perpetual enjoyment of the people."

addition to that indispensable for foundations of all eventual structures. Thus the State, through its own work or the work of other owners under its restrictions, would complete the group and grounds in harmony with the State's own standards. Your minds, far more quickly than my own, will comprehend, and I believe, more resolutely sustain this thought. The business mind as easily comprehends the profits inuring to the State in adjacent areas, if any such should be acquired and finally be found unnecessary to the plan of improvement adopted by the State.

Please observe that much of the space on the edge of the proposed enlargement is occupied by schools and churches". You easily foresee that if Iowa abandons haphazard placement and keeps to the best in grounds and architecture, no inferior structure will ever be obtruded by public fund or private benefaction, as witness the quality of recent buildings of Des Moines. By harmonizing with the State's standards others will thus enhance the beauty and value of all adjacent property.

Your profession could scarcely have better revealed its talent for the instant and accurate statement and solution of structural problems than to have produced through one of its members this plan" for the most certain, economical, yet desirable correction and completion of the Iowa State Capitol grounds".

The selection of some plan, immediate and final, as to the placement of the Allison memorial, having regard for the artistic and economic values of the Capitol and the splendid Soldiers and Sailors' Monument, a plan upon which could be expended not vast funds, but any money, with every care and all skill, was, and is, manifestly obligatory on the present and will be advantageous to all the future. To your

"See map of proposed improved Capitol grounds and environs, facing p. 96.

"See E. L. Masqueray's plan of location of Allison monument, facing p. 104.

"See E. L. Masqueray's birds-eye view of Allison monument and adjoining grounds, facing p. 110.

profession I feel the Allison Commission should and does, in this acknowledgment, pay its respects.

It is with extraordinary satisfaction I say to you that this plan and the law enacting it, when submitted to individual members of your society and of your profession in this country and in Europe, has never failed to evoke expressions of respect and even praise for our governors, for the members of the General Assembly and for General Dodge. It is regarded as the most complete seizure of opportunity, through public law, an American commonwealth has recently made. If this were not deserved, surely technical minds, such as you possess, would long since have warned me. The popular thought has never been at rest upon the random placement of the structures about the Capitol. It is not a question of art or beauty more than of business. No man owning and living in his own house likes to concede the right of careless use or unsightly appearance of adjacent property. The cleanly, sightly, safe and lasting arrangement of permanent property is now mere household taste, not a professional question in Iowa. As for myself, driven rather by hunger than ambition, and led rather by appreciation of things done or diagrammed than by imagination, I can yet say I have had the greatest satisfaction of my whole life in a connection with men, whose tribute to achievement is by way of eternal bronze and stone—whose best work like your own is by fixed principles and once completed is forever done.

Assorted Cargo.—The steamer Pizzaro, lately left St. Louis for the mouth of Kansas river with the following cargo for that point, viz. 20 spinning wheels, twenty looms and their appendages, 300 axes and one hundred ploughs, and last though not least \$10,000 in specie. This pretty little outfit is said to be for the Iowa and other Indians.—*Iowa Sun*, Davenport, November 13, 1839.

NOTES
ON
WISCONSIN TERRITORY,
WITH A MAP.

BY
LIEUTENANT ALBERT M. LEA,
UNITED STATES DRAGOONS.

PHILADELPHIA.
HENRY S. TANNER—SHAKESPEAR BUILDINGS.
1836.

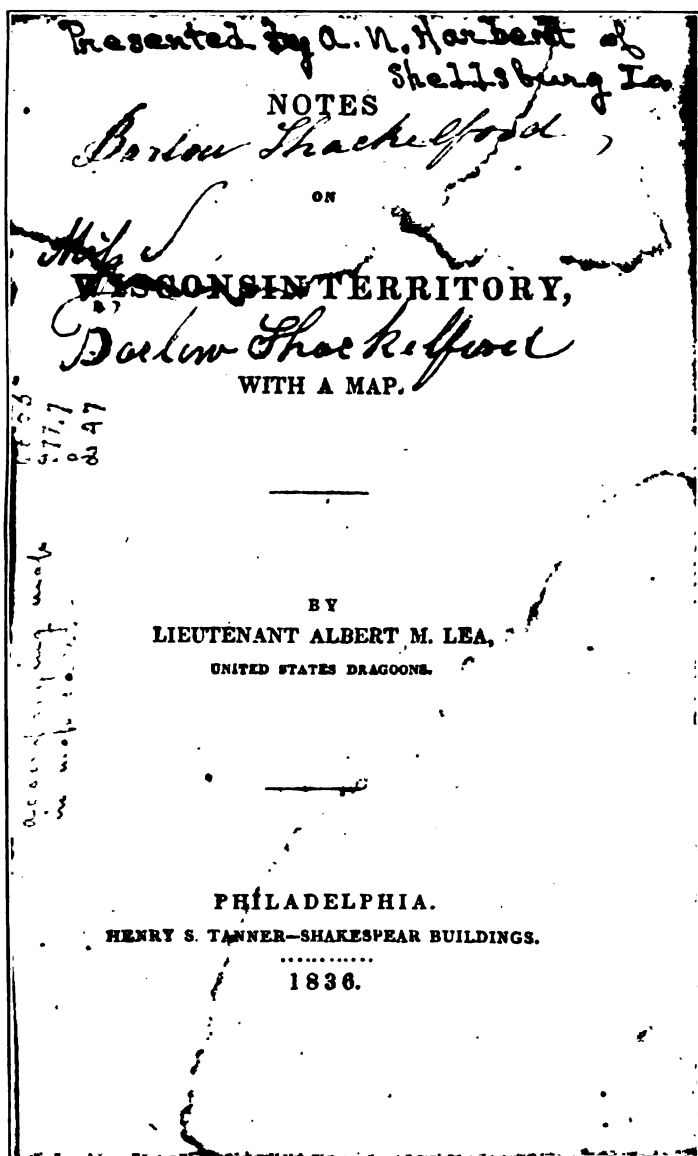
Herewith we present the text of the book published by Albert M. Lea and widely used by students and writers upon the region which is now the State of Iowa. The writings of Mr. Lea have been discussed and reviewed most ably by Mr. Clifford Powell in the *Iowa Journal of History and Politics* for January, 1911. Mr. Powell states he is aware of only eight copies extant of this edition —EDITOR ANNALS.

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ENTERED according to the Act of Congress, in the year
1836,

By H. S. TANNER,

In the Clerk's Office of the District Court of the Eastern
District of Pennsylvania.



Facsimile of title page of the copy of Albert M. Lea's "Notes on Wisconsin Territory" owned by the Historical Department of Iowa.

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PREFACE.

IN the following NOTES, the Author designs to place within the reach of the public, correct information in regard to a very interesting portion of the Western country, especially of that part of it known as the "IOWA DISTRICT," one of the divisions of the new TERRITORY of WISCONSIN.

That the reader may know what degree of confidence he may place in these Notes, he ought first to be made acquainted with the means of information possessed by the Author.

He has been employed in his professional duties for more than a year, within the limits of the country represented by the accompanying map. During that time, he has travelled extensively, and has been sedulous in collecting information from surveyors, traders, explorers, and residents. The whole route of the dragoons during the summer of 1835, as designated on the map, was meandered with a compass, and the distances estimated by the time and rate of travelling them; and in like manner, the Des Moines river was reconnoitred from Racoon river to the mouth, and the route thence to Rock-Island, by the west side of the Mississippi. In addition to these sources of information, he has procured from the proper bureaus at Washington, the maps sent in by the surveyors of the several Indian boundaries laid down, and of the far-famed Half-Breed Tract of the Sauk and Fox Indians.

The author is under obligation to several gentlemen for valuable information: among the number are Captain Boone, of the Dragoons; Major William Gordon, of Iowa District; and Hon. George W. Jones of Wisconsin. They will please accept his thanks for their kindness.

The reader will perceive that the following "Notes," are confined to such subjects only as are interesting, particularly to the emigrant, the speculator, and the legislator. The author reserves for another work, the notice of such topics connected with that country, as are better suited to the more general reader.

Baltimore, Md. April, 1836.

LETTER

*To the Author, from the Hon. Geo. W. Jones,
Delegate in Congress from the Territory of
Wisconsin.*

HOUSE OF REPRESENTATIVES, }
Washington City, April 26th, 1836. }

LIEUT. A. M. LEA,
MY DEAR SIR,

THE perusal of your "Notes on the Iowa District of Wisconsin Territory," which you had the kindness to lend me, has afforded me much pleasure, and I cannot but offer you, at least, my thanks for the favour.

Your account of the country is certainly interesting and candid, as I was confident it would be, when I heard that you were writing on the subject, from the fact of your having explored the country in person, from your liberal and just views of the "far north-west," and from the ample means which you have had of obtaining information.

Your Map, too, accompanying the "Notes," gives so correct a view of the situation of the rivers, towns, &c. that I should have said it was taken from actual survey, if I had not known that no survey had ever been made, except that of the Indian boundary lines.

The country which you have described, is undoubtedly not surpassed as a farming and mining country, by any in the known world; and the manner in which you have set forth its advantages, must ensure to your work an extensive circulation. The numerous applicants that have come to me from the east, the south, and the west, for information in relation to this country, I take pleasure in

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referring to your Notes, with the hope that you will very soon publish them to the world. You have said much for the country, but I do not believe that you could have said too much in commendation of its fertility and natural resources.

I am, with very great regard,

Your obliged humble servant,

GEO. W. JONES,

Of Sinsinawa Mound, Wisconsin Territory.

IOWA DISTRICT OF WISCONSIN TERRITORY.

CHAPTER I.

General Description.

THE IOWA DISTRICT lies between 40°20' and 43° north latitude, and 18°10' and 15° 15' west from Washington; and is bounded by the Neutral Grounds between the Sauks and Sioux Indians on the north; by the lands of the Sauks and Foxes on the west; by the state of Missouri on the south; and by the Mississippi river on the east. It is about 190 miles in length, 50 miles wide near each end, and 40 miles wide near the middle, opposite to Rock-Island; and would make a parallelogram of 180 by 50 miles, equivalent to 9000 square miles, or 5,760,000 acres, including Keokuk's Reserve of 400 square miles.

This country has been alternately in the possession of various tribes of Indians, but last in that of the Sauks and Foxes, of whom it was obtained by treaty at the close of the Black-Hawk War, in 1832. General Scott was one of the commissioners appointed by the President to make this treaty; hence the District under review has been often called "*Scott's Purchase*," and it is sometimes called the "Black-Hawk Purchase;" but from the extent and beauty

of the Iowa river which runs centrally through the District, and gives character to most of it, the name of that stream being both euphonic and appropriate, has been given to the District itself.

In the year 1832, immediately after the treaty above named, several families crossed the Mississippi and settled on the Purchase; but as the time provided for the Indians to give possession, was the 1st of June, 1833, these settlers were dispossessed by order of government, and hence the first permanent settlement of whites in the Iowa District, did not take place until the summer of 1833. Since then, nothing has happened to mar the peace, happiness, and prosperity of a rapidly increasing population, which has already given to many portions of the District the impress of a cultivated people. It is true, that a few whites had been living somewhat longer on the tract of land belonging to certain half-breeds; but as they were very few, and were living there only by sufferance, they need not be ranked as *settlers* of the District.

THE CLIMATE is such as would be naturally expected in this latitude. The thermometer does not range more widely here than in similar latitudes east of the Allegheny mountains; nor perhaps as much so, as in those districts beyond the influence of the sea-breeze; for here, we have every day a breeze, from some quarter of our broad prairies almost as refreshing as that from the ocean. We are exempt, too, from the effects of the easterly winds, so chilling and so annoying along the Atlantic seaboard; but in lieu of them, we have frequently cold blasts from the prairies, sufficiently annoying to the traveller, when the mercury is at zero. The prevailing winds are from the southwest. I have known the wind at Rock-Island, to remain constant in that quarter for three weeks successively, and it is said to have so remained during six weeks at Prairie du Chien.

The salubriousness of this climate varies according to locality. Along the Mississippi, where there are marshy grounds, especially from the Des Moines to the vicinity of

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Rock-Island, there will of course be much bilious disease. But even what we call *much* here, is *little* compared with that on the river below the Des Moines Rapids. As we ascend the river, in fact, the causes of disease diminish, and the atmosphere becomes purer; and when we arrive at the Rapids at Rock-Island, we enter upon a country as healthy as the Allegheny mountains. There are some diseases, common in other parts of the United States, not known here; and pulmonary consumption is one of them. But whether above or below the Upper Rapids, the country at a distance from the swamps of the Mississippi, is elevated, and is as healthy as any can be, where there is a free circulation of air, good water and rolling grounds; but where there is also much vegetable matter to decay. This evil is incident to all new countries; and the richer the country in point of soil, the greater is the evil; but it is one that is continually diminishing with the progress of cultivation.

The Winter is generally dry, cold, and bracing; the waters are all bridged with ice; the snow is frequently deep enough to afford good sleighing, and it is considered the best season for travelling, by those who are able to bear exposure to a cold atmosphere. The winter usually commences about the 1st of December, and ends early in March; though in the southern part of the District, we often have fine pleasant weather in mid-winter. There is never so much snow, even as far north as Prairie du Chien, as to interrupt the travelling; and as every prairie is a high road, we scarcely feel the obclusion of the icy season.

The Spring is any thing but what we have been taught to expect from that usually delightful season. It is a succession of rains, blows, and chills: and if the sun happen to shine, it does so gloomily, as if boding a coming storm. The whole country becomes saturated with water; the low lands are overflowed; the streams are swollen; and locomotion is rendered difficult except by water. But as this means of travelling is greatly facilitated and extended by the floods, we even contrive to pass comforta-

bly enough the six weeks of rain, and fog, and wind that changes the freezing winter into the warm and genial summer. We have no gradual gliding from cold to warm; it is snowy—then stormy—then balmy and delightful. There is great difficulty in planting and sowing the grains of the Spring; and sometimes even after the seeds are in the earth, the rains are too great to admit of proper culture. But with experience in the climate, the agriculturists will learn to adapt themselves to its requirements, and be able to assure themselves of crops worthy of the soil they have to cultivate.

The Summer is generally of sufficient warmth to produce rapid vegetation; and yet it is seldom oppressively hot. I have, in fact, ridden through grass six feet high, in the month of July, when, for weeks together, I scarcely experienced the sensation of excessive heat. During this season, the appearance of the country is gay and beautiful, being clothed in grass, foliage, and flowers.

Of all the seasons in the year, *the Autumn* is the most delightful. The heat of the summer is over by the middle of August; and from that time till December, we have almost one continuous succession of bright clear delightful sunny days. Nothing can exceed the beauty of Summer and Autumn in this country, where, on one hand, we have the expansive prairie strewed with flowers still growing; and on the other, the forests which skirt it, presenting all the varieties of colour incident to the fading foliage of a thousand different trees.

THE SOIL is generally about two feet deep, and is composed of clay, sand, and vegetable mould. Much of it is too tenacious of water for the most convenient production of such grains as are planted in the Spring. It is of a dark brown colour near the surface, and gradually becomes lighter and lighter in descending, till it imperceptibly passes into a yellowish clay, which, in turn is based upon a blue marl, containing pebbles, and which always affords good water when penetrated. This latter stratum is found from fifteen to thirty feet below the surface in the upland

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prairies, so that it is only necessary to sink a well to that depth to obtain excellent water wherever it may be wanted. This is the general character of the soil of the higher prairies.

In the bottom lands along the rivers, the soil is more sandy, and is little affected by excessive rains, except such portions as are liable to be overflowed. The low grounds are peculiarly adapted to the growth of Indian corn, and the elevated lands to the growth of small grain; though the yellow maize of the North succeeds remarkably well on the coldest soils of our dry prairies.

THE GENERAL APPEARANCE of the country is one of great beauty. It may be represented as one grand rolling prairie, along one side of which flows the mightiest river in the world, and through which numerous navigable streams pursue their devious way towards the ocean. In every part of this whole District, beautiful rivers and creeks are to be found, whose transparent waters are perpetually renewed by the springs from which they flow. Many of these streams are connected with lakes; and hence their supply of water is remarkably uniform throughout the seasons. All these rivers, creeks, and lakes, are skirted by woods, often several miles in width, affording shelter from intense cold or heat to the animals that may there take refuge from the contiguous prairies. These woods also afford the timber necessary for building houses, fences, and boats. Though probably three-fourths of the District is without trees, yet so conveniently and admirably are the water and the woods distributed throughout, that nature appears to have made an effort to arrange them in the most desirable manner possible. Where there is no water, isolated groves are frequently found to break the monotony of the prairie, or to afford the necessary timber for the enclosure of the farmer. No part of the District is probably more than three miles from good timber; and hence it is scarcely any where necessary to build beyond the limits of the woods to be convenient to farming lands the most distant from them, as the trouble of hauling the

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the timber necessary for farming purposes, a distance of one, two or three miles, is trifling. Taking this District all in all, for convenience of navigation, water, fuel, and timber; for richness of soil; for beauty of appearance; and for pleasantness of climate, it surpasses any portion of the United States with which I am acquainted.

Could I present to the mind of the reader that view of this country that is now before my eyes, he would not deem my assertion unfounded. He would see the broad Mississippi with its ten thousand islands, flowing gently and lingeringly along one entire side of this District, as if in regret at leaving so delightful a region; he would see half a dozen navigable rivers taking their sources in distant regions, and gradually accumulating their waters as they glide steadily along through this favoured region to pay their tribute to the great "Father of Waters;" he would see innumerable creeks and rivulets meandering through rich pasturages, where now the domestic ox has taken the place of the untamed bison; he would see here and there neat groves of oak, and elm, and walnut, half shading half concealing beautiful little lakes, that mirror back their waiving branches; he would see neat looking prairies of two or three miles in extent, and apparently enclosed by woods on all sides, and along the borders of which are ranged the neat hewed log cabins of the emigrants with their fields stretching far into the prairies, where their herds are luxuriating on the native grass; he would see villages springing up, as by magic, along the banks of the rivers, and even far in the interior; and he would see the swift moving steam-boats, as they ply up and down the Mississippi, to supply the wants of the settlers, to take away their surplus produce, or to bring an accession to this growing population, anxious to participate in the enjoyment of nature's bounties, here so liberally dispensed.

THE PRODUCTS of this District are chiefly mineral and agricultural, though manufactures will undoubtedly take their place in due time.

Bituminous Coal, the oxides and the sulphurets of iron,

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limestone, sandstone, and fire-clay, are found in numerous places; and some of these minerals occur in great abundance. But the chief mineral wealth of this region consists in its Lead Mines. The finest mines in the United States are those near Du Baque, in the northern part of the District. The galena has been found throughout an extensive tract; and I have little doubt that it will be found extending entirely across the District, running in a south-west direction towards the mines of Missouri.

The agricultural productions consist chiefly of maize, wheat, rye, oats, and potatoes. The large white corn of the south may be produced as far north as Rock-Island, and yields from fifty to one hundred bushels per acre; but the yellow flint-corn grows well anywhere, and yields from forty to seventy-five bushels per acre; the latter is the more certain crop. Wheat is produced with a facility unknown except in the west. I have known the sod of the prairie to be simply turned over, the seed harrowed in, and thirty bushels per acre to be harvested. But the usual crop, after the first, is from twenty-five to forty bushels per acre with negligent farming. Oats yield usually from sixty to seventy bushels per acre, and seventy-five bushels have been cut at Du Baque. Potatoes grow abundantly, and are famous throughout the west for their fine quality.

The growing of stock of various kinds will doubtless be extensively pursued, as few countries afford more facilities for such purposes; and in consequence of the abundance of excellent timber along the smaller rivers and creeks, those towns on the Mississippi, even as low down as St. Louis, will probably in a great measure be supplied with that article from the forests of Iowa. Already numerous mills have been put in operation; but lumber for exportation has not yet been thought of by the settlers.

The larger GAME will, of course, soon disappear from the settlement; but at present there is a great deal of deer, some bear, and some buffalo within reach. Turkeys,

grouse, and ducks will long be abundant; and of *Fish* there can never be any scarcity. Every stream is filled with them; and among them may be found the pike, the pickerel, the catfish, the trout, and many other varieties. Immense quantities are taken about the several Rapids, where they may be easily speared.

THE POPULATION of the whole District, exclusive of Indians, was about sixteen thousand, at the end of 1835, a time little more than two years after the first settlement was made. During the year 1835, the chief part of this population arrived; and there is every indication of a vast accession during the year 1836. Indeed large portions of the States of Ohio, Indiana, Illinois, Kentucky and Missouri seem to be about to emigrate to this region. There are now here emigrants from all these States, and every other State in the Union, as well as many foreigners. Whole neighborhoods are moving from Indiana and Illinois to this land of promise. During a ride of 150 miles through the District, in the month of January, 1836, I was surprised at the number of improvements then being made, for occupation as soon as the warm season should set in.

The character of this population is such as is rarely to be found in our newly acquired territories. With very few exceptions, there is not a more orderly, industrious, active, pains-taking population west of the Alleghenies, than is this of the Iowa District. Those who have been accustomed to associate the name of *Squatter* with the idea of idleness and recklessness, would be quite surprised to see the systematic manner in which every thing is here conducted. For intelligence, I boldly assert that they are not surpassed, as a body, by an equal number of citizens of any country in the world.

It is matter of surprise that, about the Mining Region, there should be so little of the recklessness that is usual in that sort of life. Here is a mixed mass of English, French, German, Irish, Scotch, and citizens of every part of the United States, each steadily pursuing his own business without interrupting his neighbor. This regularity

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and propriety is to be attributed to the preponderance of well-informed and well-intentioned gentlemen among them, as well as to the disposition of the mass of the people. It is but within a few years past that persons of high and cultivated character have emigrated, in great numbers, to our frontiers. Formerly, it was, with some notable exceptions, the reckless in character, the desperate in fortune, or the bold hunter, that sought concealment, wealth, or game, in the "wilds of the west." Now, it is the virtuous, the intelligent, and the wealthy that seek, in the favoured and flowery regions *beyond these "wilds,"* a congenial abode for themselves and their posterity.

This District, being north of the State of Missouri, is for ever free from the institution of slavery, according to the compact made on the admission of that State into the Union. So far as the political wealth and strength of the country is concerned, this is a very great advantage; for the region is too far north for negroes to be profitable. Besides, all experience teaches us that, *ceteris paribus*, free States grow far more rapidly than slave States. Compare, for example, the States of Ohio and Kentucky; and, what would not Missouri have now been, had she never have admitted slavery within her borders?

The population of the surrounding country is very various, whites on one side, and Indians on the other. That of Wisconsin and Illinois, being immediately east of the northern part of the District, is very similar to that already described as belonging to the District itself. These people take their tone from the active and enterprising people of the northern and eastern States; whilst those of the more southern part of Illinois and of Missouri, partake much more of the character of the Middle States.

On the west and north, are the Sauk and Fox, and the Sioux tribes of Indians. These people have become so much reduced in number, and are so perfectly convinced of their utter inferiority, that they will never have an idea of again making war upon our settlements. Their proximity will indeed be rather an advantage to the District

than otherwise, as a profitable trade may be carried on with them.

THE TRADE of this District is confined almost entirely to the grand thorough-fare of the Mississippi. By it, the produce of the mines is carried away, and all the wants of a new population are supplied. Saint Louis is the port through which all the exchanges are at present effected; though the town of Alton, on the east side of the Mississippi, just above the mouth of Missouri river, is now setting up a rivalry for this trade. The only important article of export, as yet, is lead; the amount of which is not correctly ascertained, even for one year, and as it is daily increasing, and capable of indefinite extension, it is enough to say that it is a profitable—a very profitable—source of trade. The town of Quincy, forty miles below the mouth of the Des Moines, derives its supply of coal from the banks of that river; and it is almost certain that a large trade will be carried on in that article, as the demand for it increases.

All kinds of agricultural products have heretofore found ready consumers in the increasing population of every neighbourhood; and this cause will continue to afford a market at every man's door for years to come. After the emigration shall have abated, the mines will afford always a ready market for whatever can be produced within reach of them. But should this market fail, there are numerous navigable rivers intersecting the District, and leading into the broad Mississippi, an ample highway to any part of the world.

There are ten or twelve steamboats continually plying between Saint Louis and the various ports on the Upper Mississippi, as far up as the Falls of Saint Anthony. The usual trip is from Saint Louis to the Lead Mines, a distance of 450 miles, to make which requires about three days, and an equal time to load and return. This would give an average of more than a boat daily each way, after making allowance for the casualties of trade. But whilst I am now writing, this thing is all changing; for such is

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the rapidity of growth of this country, and such is the facility with which these people accommodate the wants of the public, that I would not be surprised to find the number of boats doubled within the current year.

The Mississippi is, and must continue to be, the main avenue of trade for this country; but there is a reasonable prospect of our soon having a more direct and speedy communication with our brethren of the east. New York is now pushing her rail road from the Hudson to Lake Erie, where it will be met by another from Pennsylvania; thence the united rail road will be continued around the southern shore of Lake Erie, and cross the States of Ohio, Indiana, and Illinois, to the Mississippi, near the mouth of Rock River, touching upon the southern end of Lake Michigan in its route, and receiving the tribute of the various local works which it will intersect. This work would place the centre of the Iowa District within sixty hours of the city of New York; and if any of the "*down-easters*" think this project chimerical, let them take a tour of a few weeks to the Upper Mississippi, and they will agree with me, that it is already demanded by the interests of the country.

GOVERNMENT. From the first of June, 1833, to the thirtieth of June, 1834, the settlers in this District were without any municipal law whatever. At the latter date Congress passed a law attaching it to the Territory of Michigan, "for judicial purposes;" and under that law, the Legislative Council of Michigan extended her laws over the District, dividing it into two counties, and providing for the regular administration of justice. But when Michigan determined to assume her place as one of the *States* of the Union, she could no longer govern any district as a *Territory*. Accordingly, she cast off what was then called Wisconsin, together with this District, directing them to form a government for themselves, and providing that her own laws should continue in force, until superseded by others. Under this provision, the authorities of Iowa District have continued to act; and all the

ordinary local business has been regularly transacted under the laws of Michigan, though the Judge of the District Court of the United States has refused to consider any cases of appeal taken to his court from the west side of the Mississippi. It is a matter of some doubt, in fact, whether there be any law at all among these people; but this question will soon be put at rest by the organization of the TERRITORY of WISCONSIN, within which the Iowa District is by law included.

Though this District may be considered, for a time, as forming a part of the Wisconsin Territory, yet the intelligent reader will have little difficulty in foreseeing that a separate government will soon be required for Iowa. Already it has a population of nearly twenty thousand, which will swell to thirty thousand by the close of 1836. By casting an eye on the map, it will be seen that some of the most beautiful country in the world is lying immediately along this District on the west side. From this country, the Indians are now moving over to the Des Moines; and finding the country on the Wabesapinica, the Iowa, the Bison, and the Chacagua rivers, of no use to them, they are already anxious to sell; and the press of population along the border has already created a demand for its purchase. A short time, then, will cause the western boundary of the District to be extended; and with this extension, will come a corresponding increase of population. It is hazarding little to say, that this District will have population sufficient to entitle it to a place among the States of the Union by the time that the census of 1840 shall have been completed.

LAND TITLES. In that portion of the District known as the Half-Breed Tract, the titles to lands are thus situated: In 1824, by treaty with the Sauk and Fox tribe of Indians, this tract was set apart for the use of the Half-Breeds of that tribe, said tract to be held by the same right and in the same manner as other Indian lands are held. In February, 1834, Congress released to the Half-Breeds, the reversionary rights of the Government to these

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lands, vesting in them the *fee simple* title. But it was an undivided interest; and the number of claimants, even, was not then, and is not yet, known. Each of these Half-Breeds is entitled to his equal portion of these lands, whenever they may be divided; or he may live upon them unmolested until the division; but when this division may take place, is a matter of great uncertainty, as it is difficult to ascertain who the claimants are, and as it will involve the necessity of troublesome legal processes.

In the District generally, the land titles are in an anomalous condition. The country was freed from its Indian occupants in 1833; hundreds immediately flocked in, each selecting such place as suited him best, and each respecting the premises of those who had preceded him. It is now clearly understood what improvement it takes to constitute a *claim* to any portion of these lands; and a claim to a farm, regularly established, is just as good, for the time being, as if the occupant had the Government patent for it. An emigrant comes into the country; he looks around him, and finds a situation that pleases him; here, he says, "I will make an improvement;" and forthwith he goes to work, builds a house, fences a piece of ground, ploughs and plants it; he stakes out his half a section of land, one quarter section probably being woodland, and the other quarter being prairie; and then his home is secure from trespass by any one whatever, until the Government shall think proper to prefer its claims. If he think proper to sell his claim, he is at perfect liberty to do so; and the purchaser succeeds to all the rights of the first settler. It is usual in such sales, for the purchaser to take a bond of the previous occupant, to transfer any right that the latter may acquire, in consequence of his previous occupancy, under the operation of the laws of the United States relative to occupant titles.

Where towns are laid out, as it is not expected that each holder of a lot would be able to obtain a separate title from Government, it is arranged that the proprietor shall secure the *fee simple* title, in his own name, for the whole site, by the best means in his power; and he gives his

bond to make a title to the purchaser, whenever he shall have secured it to himself.

The people of this whole District have entered into an agreement to support each other in their claims, against any unjust action of the Government, or against any attempt at improper speculation by capitalists at a distance. And those who know the potency of such leagues, will feel perfectly assured, that whatever is protected by this one, will be safe from molestation. They say that it has been the uniform policy of the Government, for many years past, to extend to actual settlers on the public domain, the right of *pre-emption*, as it is termed. By this is understood, the privilege, given to one who has settled upon, and cultivated a piece of land, before it be brought into market, to purchase 160 acres, (one quarter section,) at the Government price, (\$1 25 per acre,) without having it exposed to public sale. This privilege has been considered as justly due to the settler, in consideration of the increased value given to other lands around him, at the expense of great toil and privation to himself. The pioneers of every country are necessarily subjected to many privations; often they are the barrier between a savage foe and the peaceful citizens of the older countries, as has actually been the case with some of the settlers in this District. The privilege of retaining possession of lands which they have peacefully occupied and cultivated for years, is what these settlers now claim of their Government, on condition of paying for them just as much as that Government asks for untilled lands, equally fertile, around them: nor do they claim the privilege of thus buying unreasonably large bodies of land; they only ask to have extended to them the same advantages as have been granted to all pioneers before them; they expect the privilege of entering each one quarter section. For, whatever more they may respectively want, they are ready to come forward, and compete for it in the open market; though they cannot but deem it a want of liberality to make them pay an enhanced price for a piece of land, when that very enhancement has been alone produced by

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the labour of their own hands. The liberality of the Government will probably make some provision for securing, in the possession of their own labour, those whose improvements have extended beyond the narrow limits of a quarter of a mile.

As this country has not yet been surveyed, it might be supposed that much confusion would result from the new arrangement of boundaries, when the lands shall be regularly surveyed, as public lands usually are. But this difficulty is easily obviated; for instance,—the claims of A. and B. join each other; when the section lines shall be run, it may be found that a portion of A.'s land is within the quarter section including B.'s improvement, and *vice versa*; but in the meantime, A. and B. have entered into an agreement, that if any such awkward lines should be run, they would mutually relinquish lands to each other, so that the lines of their several tracts shall be the same after, as before the survey and sale. This want of surveys is an actual advantage in some respects. The farms are all now arranged, with reference to the localities, with the woods, prairies, water, flat and rolling lands, as well disposed as it is possible; whereas, when the country is surveyed before being settled, that very fact forces the emigrants to confine themselves to the arbitrary north and south, east and west, lines of the public surveyor. The little inconvenience produced by this absence of survey, is more than compensated by its advantages.

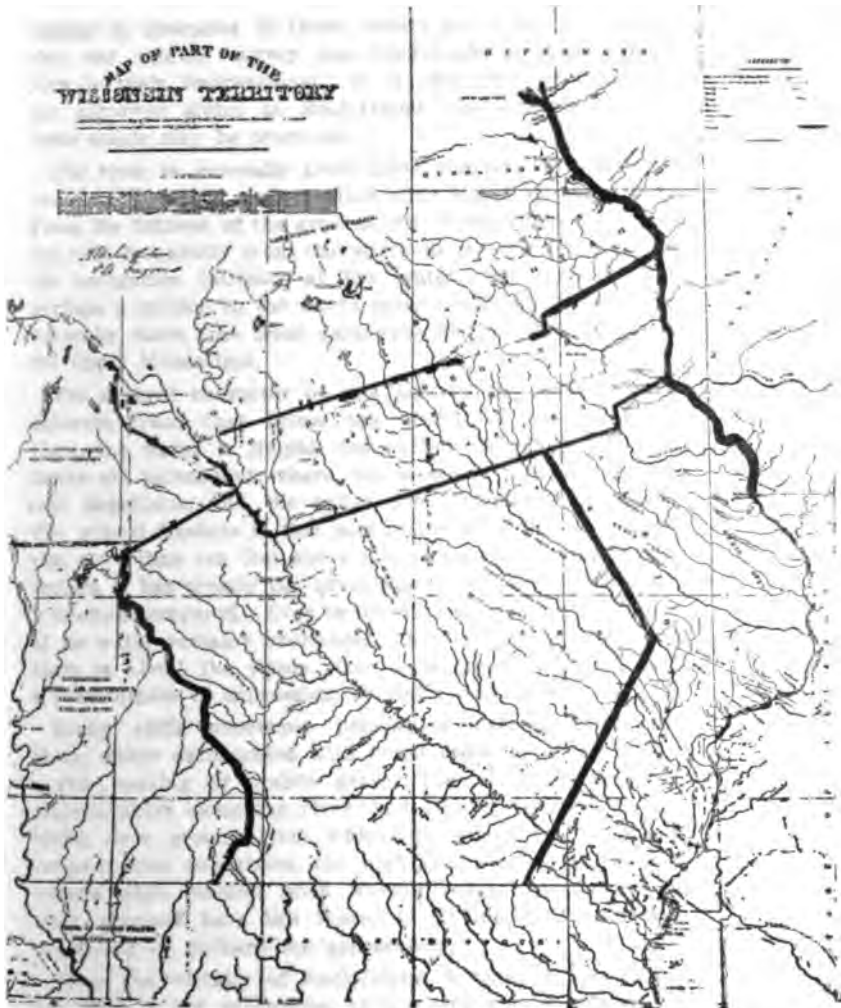
CHAPTER II

Water Courses and Local Divisions.

The MISSISSIPPI RIVER, washes one half of the entire circumference of the District, no part of which, from its peculiar shape, is more than fifty miles from the river. In a country so open as this, where no artificial roads are necessary, this common contiguity to such a river as the Mississippi, places every part of it within convenient reach of the balance of the world.

The Mississippi is continually navigated, except when obcluded by ice, by steam-boats drawing three feet water, as far up as Prairie du Chien; and frequently they run up to the Falls of Saint Anthony, a distance of 800 miles above Saint Louis. There are only two permanent obstructions to its easy navigation, except at very low water, throughout this whole distance; and they occur opposite to different points in the District. The first is the *Des Moines Rapids*, beginning a few miles above the outlet of the river of that name, and extending up about 14 miles, to a point nearly opposite the town of Commerce. In this distance there is a fall of 25 feet; but the current is never too rapid for boats to stem it; and there is seldom less than three feet of depth in the channel. When the water becomes very low, it is the practice to unload the steam-boats, pass them light over the Rapids, and take the freight over in keel-boats of less draught. These keel-boats, when ascending, are towed up along the western shore, by horses moving along the natural beach. This rapid is a source of great annoyance, expense and delay; and yet it is susceptible of being so easily improved, as to be matter of surprise that it has not already been done.

The second obstruction is the *Rock-Island Rapids* very



Map of part of the Wisconsin Territory by Lieut. Albert M. Lea.



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similar in character to those below; but I am not aware that any minute survey has been made of them with a view to their improvement. It is said, that by damming the narrower sluice at Rock-Island, the difficult bar on these shoals may be overcome.

The river is generally from three quarters of a mile to one mile in width, and is filled with island of every size. From the flatness of the general bed of the river, the *channel* runs frequently from one shore to the other, rendering the navigation intricate at low water; but there is not perhaps a stream in the world more beautiful, in itself, or naturally more free from dangerous obstructions, than is the Upper Mississippi.

The general character of this part of the river is very different from that below the mouth of the Missouri. Here, the water is limpid, the current is gentle, and the banks are permanent; there, the water is muddy, the current impetuous, and the banks are continually changing. The annual freshets in this part of the river do not usually rise more than ten feet above low water mark; and in this feature, it has greatly the advantage of the Ohio, with which it is often compared. Even in the highest freshets, the colour of its water remains unchanged, and its current easy; and there is about the whole river a calmness, a purity, and a peacefulness of expression, perfectly enchanting.

Rocky cliffs sometimes present themselves along the shore, either surmounted with forest trees, or covered with a rich coating of prairie grass; frequently, low and wet prairies skirt along the river, and stretch far back to the bluffs, over ground from which the water has gradually receded; and sometimes, the highlands slope down to the water's edge, covered with waving grass and clusters of trees, grouped here and there, or set about at intervals, presenting an orchard-like appearance.

From the vicinity of Rock-Island downward, the shores are, with a few exceptions, either very abrupt and rocky, or low and marshy: but thence upward, to the highlands above Prairie du Chien, the beautiful sloping shores, just mentioned, are almost continuous. Those who have seen

this part of the country need no description of it; and those who have not seen it, would think me painting from imagination, were I to describe it true to the life.

The lands bordering on the Mississippi are not generally so productive as those retired from it. The hills are more exposed to have the soil washed from them into the basin of the river; and the low grounds are apt to be too wet or too sandy; yet the lands lying on the river will always be the most valuable, in consequence of their superior advantages of market.

THE DES MOINES RIVER AND ITS TRIBUTARIES afford fine lands, well diversified with wood and prairie, as far up as I am acquainted with them, some fifty miles above the "Upper Forks." There is much that is inviting in the general character of the country bordering on the Des Moines; level meadows, rolling woodlands, and deep forests, present themselves by turns. The soil is usually rich and productive; and when there are no natural springs, there is no difficulty in obtaining water, by digging, at almost any point in the highland-prairies.

Having specially reconnoitred the Des Moines river during the summer of 1835, I can speak of it more confidently than of any of the other smaller rivers watering the District.

From Racoon river to the Cedar, the Des Moines is from 80 to 100 yards in width, shallow, crooked, and filled with rocks, sand-bars, and snags, and is impetuous in current at high water; yet it is certain that keel-boats may navigate this portion of the river, being 96 miles, during a great part of the spring and fall; and it is not impossible that even steam-boats may run there.

But from the Cedar river to the Mississippi, except a few miles near the mouth, there is no obstruction to the navigation of the Des Moines in a tolerable stage of water. For four months of the year, boats of two and a half feet draught, will perform this distance of 170 miles without difficulty. The width is from 150 to 250 yards except a few miles above the mouth, where it is only from 80 to

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100 yards wide; its bed is perfectly smooth and flat; and the bottom is generally a thin coating of sand and gravel over a blue limestone rock, until you descend within the influence of the back water from the Mississippi, where there is much alluvial deposit with many snags. By the removal of a part of these snags and a few loose rocks above, every thing will be done for the navigation that can be done without augmenting the supply of water. The first rapids that occur in the river, above the mouth, are those near the lower end of the Great Bend. There is a ledge of limestone rock running across the river here; but the chief obstruction is caused by loose rocks lodged upon this ledge. The chief rapids between the Racoon and the mouth, are some 40 miles above Cedar river. Here is considerable fall for several miles, a sudden pitch of several inches, many large loose rocks, and a very sudden bend, altogether making a difficult pass in the river.

The mineral productions of this river are interesting. Sandstone, suitable for building, occurs frequently, as far down as Tollman's, 14 miles from the mouth. Limestone is found along the whole distance, from a point 15 miles above Cedar river, to the Mississippi bottom. Bituminous coal of excellent quality occurs abundantly at many points between Racoon and Cedar rivers, and also near the Missouri line. I also found large masses of the oxide, sulphuret and native sulphate of iron, lignite, and the earths usually found in coal formations.

It is about seventy-five miles from the mouth, by water, to the Indian boundary. The lands, on both sides of the river, throughout the greater part of this distance, are exceedingly fertile, and many of them are covered with forests of the finest walnut, oak, ash, elm, and cherry; and back of these wooded bottoms are extensive prairies, both flat and rolling. The settlements have long since, that is in the fall of 1835, extended along the river entirely up to the line, and are beginning to spread out on either side, especially towards the head waters of Sugar creek. There are already some extensive farms along this river, and others are in rapid progress.

THE HALF-BREED TRACT, which lies in the angle between the Des Moines and Mississippi, has attracted much attention on account of the speculations which have been made in those lands. Their history has been already given in the remarks upon Land Titles, except that most of these claims have passed from the hands of the original owners into those of speculators. There are about 136,000 acres in this tract, which it was formerly supposed was to be divided amongst about 40 claimants; but recently many others have preferred claims to shares; and it is not yet known with any tolerable certainty how many will ultimately establish them.

This tract contains much good land, and some good timber; but it is not nearly so valuable for agricultural purposes as it has been represented to be. Much of it is occupied by the broken grounds along the rivers; a good deal of it is sandy prairie; and much of it is too low and wet. Still, the larger portion of it is very fine land, especially that bordering on Sugar creek. This creek, though running a great distance in the rainy season, affords little water in the summer and autumn, as is the case with most of the smaller streams of the Des Moines. It affords no mill site.

Manitou creek rises in a most productive section, a little to the north of the Half-Breed Line, and affords fine lands and timber entirely to its mouth. It is said that there is a tolerable site for a mill on this stream. It takes its name of Manitou, or Devil creek, from its impetuosity in freshet, and from its quicksands and rafts which render it frequently difficult of passage. It is very uneven in its supply of water, having almost no current in dry weather.

But few persons have yet settled upon this Half-Breed Tract, owing to the unsettled condition of Titles. Nobody knows yet where his particular share is to lie and consequently nobody is willing to improve any part.

An attempt has been made to extend the northern boundary of this Tract, so as to make it to include about three or four times as much as at present; but it is a fruitless

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attempt: it can never be done without the most unblushing corruption of public men.

The position of this Tract between two navigable rivers, its own fertility, and its excellent landing places, must render it a very valuable section of the country.

CHACAGUA RIVER is generally swift in current, rises and falls rapidly, seldom overflows the alluvial lands along its borders, and furnishes much excellent timber. There are many fine springs along its bluffs, and along the tributary creeks: and the whole body of its soil may be said to be of excellent quality. Large settlements have already been made upon the river, and its tributaries. In the autumn of 1835, there were about 120 families in the vicinity of Crookshank's Point; and arrangements have been made for as many more to settle on Cedar creek, this spring. The improvements have extended up the river and up Crooked creek to the line. The lands on Richland and Crooked creeks are said to be peculiarly fine.

To what extent this river may be navigated, it is difficult to say. A small keel-boat has frequently ascended it, even at low water, a distance of 60 miles; and it is probable that it may be navigated much further. Steam-boats have not yet been upon it; but there appears to be no reason that they should not perform upon it to advantage.

Owing to the rapidity of its current, it affords great water-power. A large mill, both for sawing and grinding has been established about 10 miles above the mouth. To effect this, a dam has been thrown across the river; thus creating an obstruction to navigation, which must be abated as soon as the settlements above shall call for it. There are also a few snags in the mouth of the river, which will require removal.

FLINT CREEK is supplied chiefly by springs, and is consequently never very low. As it has great fall near where it passes from the high prairie to the level of the Mississippi bottom, and affords at all times a good supply of water, it is considered a stream well adapted to move ma-

chinery. Two saw-mills are already erected upon it, and more machinery will probably follow. There is some excellent land about the head of this creek, and good timber throughout its length. There is no navigation in it, except where it connects with a slue of the river, one or two miles long. Extensive settlements have been made on this creek, and a town has been laid out near its source. It was one of the first sections in attracting the attention of emigrants.

IOWA RIVER has been usually much less esteemed than its advantages deserve. It is the largest tributary of the Mississippi above the Illinois, and probably affords more water than that river. It takes its rise among the innumerable lakes in the high flat country which divides the waters which run north-west into the Saint Peter's river, from those which run south-east into the Mississippi. This high country is a continuation of that which, being intersected by the action of the current, overhangs the Mississippi below Lake Pepin, and is there called "The Highlands." Having its source in these lakes, the river is perennially supplied with pure and limpid water, and as it meanders its way for 300 miles to the Father of Waters, receiving large tributary streams, as it moves along through rich meadows, deep forests, projecting cliffs, and sloping landscapes, it presents to the imagination the finest picture on earth of a country prepared by Providence for the habitation of man.

There are two principal branches of this river. That marked on the map as "Iowa or Red-Cedar," is by far the largest of the two. It is usually called "Red-Cedar Fork," and is so designated in the treaty of purchase of the District; but as that part of the river below the junction of this fork with the other is universally called *Iowa*; and as there is some confusion about the name of Red-Cedar, other streams being called by the same name, I have affixed the name of the united stream to the main tributary. The river marked on the map as "*Bison R. usually called Iowa River*," is sometimes called Horse River, and

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sometimes Buffalo River. It is little known, and therefore I can say nothing of that part of it above the District line, except that tourists report the country along it, as well as all that between the Des Moines and Mississippi, as exceedingly beautiful and fertile. Major Gordon, who passed through it in August, 1835, and who has travelled extensively, says that "In point of beauty and fertility it is unsurpassed by any portion of the United States."

About the mouth of the Iowa, the country is flat, and is frequently flooded. It is two miles from the mouth to the bluffs, on one side, and about seven miles on the other side; and for a long way up both the forks, far above the line of the District, the river runs through a deep valley which it has gradually hollowed out for itself. From the mouth to the forks, this valley is full a mile in width, and above that, it is divided between the two streams. The river oscillates from side to side of this low ground, presenting alternately flats and bluffs. The high grounds in rear of the bottoms are sometimes precipitous and sometimes sloping, but uniformly about 200 feet high, and are frequently crowned with fine forests of oak and hickory. The current is rapid; sand-bars and snags are frequent; and the channel often changes position. In these respects, it is said much to resemble the Missouri river. It is believed that the main river can be easily navigated, during three or four months of the year, by steam-boats of light draught, as far up as some rapids near Poiskeik's village, a distance of 100 miles. These rapids are caused by the same ledge of rocks which makes the rapids of the Mississippi at Rock-Island: and the same ledge probably affects the Bison River. This obstruction once passed, boats will run with ease about 100 miles further to the mouth of Shell-Rock river, near the Neutral Grounds. By reference to the map, the reader will see where the dragoons crossed it last summer. At the lower crossing on a rocky rapid, it was two and a half feet deep; and at the upper crossing, not far from the lakes where it rises, it was 45 yards wide and four and a half feet deep: but here the current is very sluggish, and the size of the stream here does not indicate

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its size below. It is probable that the lower crossing is about the smallest part of the river; and if so, keel-boats may ascend it to its very source.

The Bottoms along the river are usually prairie, and somewhat inclined to be sandy; but they are said to be admirably adapted to the growing of maize. The uplands are rich and dry. Extensive forests skirt the river and all its tributaries; fine springs are abundant; the smaller creeks afford good mill-sites; and there appears to be little left to be desired. The advantages of this region are marked by the fact, that the whole tribe of the Sauks and Foxes was congregated here, until after the sale of the District in 1832, although, as is shown by the map, they had almost a boundless region from which to select the sites for their villages, and their hunting grounds.

THE INDIAN RESERVE, designated on the map, contains 400 square miles, and was laid off to include Keokuk's old village. The Indians, finding themselves uncomfortable so near the whites, are all moving over to the Des Moines; and deeming this Reserve of no use to them, they are anxious to sell it. The Government has already taken measures to make the necessary treaty; and the Reserve may now be regarded as subject to settlement; in fact, many have already gone upon it; and every day adds to their number. But this Reserve has heretofore prevented many from settling upon the Iowa, as it was uncertain where the boundaries would be, and it was not known that it would soon be purchased. Now, however, the tide of emigration seems to be running chiefly towards the Iowa country.

THE MUSCATINE SLUE is about 80 yards wide, except where it spreads out, here and there, into small lakes; its current is gentle, and it affords a channel of about 4 feet in depth. And as the land around the exterior of the curve is exceedingly fertile, boats will probably run along the slue to carry off its rich productions. The island is a continuous marsh, and of course must give rise to much

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malaria; but it is well adapted to the grazing of cattle during the summer and autumn. The point at the head of this sluice may be considered the *ultima thule* of the sickly region of the Mississippi; above this, the atmosphere is as pure and wholesome as that of any other climate in the world.

PINE RIVER. Instead of a large stream and a great forest of pines, as one would expect from this name, there is only a small creek and about twenty trees to be found. Though the creek be small, being fed by springs, it is constant; and having great fall, it affords good sites for machinery; and it has also good land and good timber upon its borders. The bluff, which is to be found all along the Mississippi, either overhanging the water, or separated from it by flat grounds, or sloping down to the water's edge, here assumes the latter character; and on one side of the Pine is a fine sloping prairie, and on the other an open grove of oak. In this general slope, time has worn a wide and deep ravine, through which Pine River finds its way to the Mississippi. About one mile above the mouth, the Pine meets the back water from the Mississippi, and grows deeper and wider to the mouth; 600 yards above which, it is fifty yards wide, and five and a half feet deep; it affords a most excellent harbour for boats; the banks are sloping, and the landings on either side are convenient.

From the Pine up to the Wabesapinica, there are numerous creeks that empty into the Mississippi; some of them afford good water power; all of them have more or less timber along them; and as they rise far back in the prairie, and interlock with others running into the Iowa and Wabesapinica, there is no part of the large and fertile tract, lying between these three rivers, that is not conveniently supplied with timber. It is from the mouth of Pine river upward, that the beautiful country of the Mississippi begins to show itself.

WABESAPINICA RIVER. Of this stream I can only speak in the most general manner. About 30 miles above its mouth, it is 70 yards wide; and as it is unusually deep for its width, and no obstructions are known in it, it is probable that it will be navigated for many miles. Two men ascended it last summer about 200 miles in a canoe. It is said that there are very fine lands upon it; but that here, the timber begins to grow scarcer than on the Iowa; and that between it and the *Great Mequoquetois*, the soil is less productive.

GREAT MEQUOQUETOIS. This stream may be considered as the southern boundary of the mineral lands. I have a specimen of the ore of copper from this river, supposed to be valuable; and it is asserted that a very large body of it has been found, some days march up the river. There is a large swamp between this stream and the Wabesapinica; but what may be the particular character of the soil upon the Mequoquetois itself, I know not. It would be difficult, however, to find inferior soil over any large portion of this country. On a branch of this stream, within a short distance of navigable water, there is said to be very great water power, which is yet unoccupied.

TETES DES MORTS RIVER. Again the good farming land re-appears upon this stream. The timber also is found in sufficient quantities for agricultural purposes; and there is good water power at various places along it. Lead ore is abundant on both sides of it, though the mining operations have not yet been extended thus far from Du Baque.

CATICHE CREEK. This is a beautiful little stream, affording fine woods, rich lands, good water-power, and is very desirable for residences, on account of the numerous springs of fine water by which it is supplied.

CATFISH CREEK. The same remarks will apply to this creek as to the preceding, with the addition, that it is

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much larger, and possesses the same advantages in a greater degree.

LITTLE MEQUOQUETOIS. This stream has been a favourite among the enterprising people who have settled on the west side of the Mississippi. Its stream is clear and rapid, affording several good sites for machinery, throughout the greater part of its course. It affords a depth of fifteen feet for two and a half miles above the mouth, and is wide enough to admit that far the largest boats that navigate the Upper Mississippi. The fertile lands on its borders are said to be extensive; and it affords large forests, also, composed chiefly of oak, walnut, ash, and cherry.

PENACA OR TURKEY RIVER. The Turkey river is navigable about thirty miles, for any steam-boat on the Upper Mississippi. The finest soil, the finest timber, and the finest mines are to be found on this river of all that lie within the mining region. For agricultural purposes alone, it is highly desirable; but if the mineral wealth beneath the soil be considered, it is not wonderful that crowds of emigrants should be hastening to it, as they now are.

This stream and its tributaries traverse the north-western part of the region heretofore ascertained to afford galena; but from observations made by myself and others as far north as Wabashaw's Village, I have no doubt that this mineral will be found to extend over a portion of the territory vastly larger than has heretofore been supposed.

CHAPTER III.

Remarks upon Towns, Landings, and Roads.

In this embryo State, those interested are anxiously looking out for places where are to be the future cities to do the trade and manufacturing of the country. I propose making a few remarks upon places that have attracted most attention.

WARSAW, situated in Hancock County, Illinois, on the east bank of the Mississippi, immediately opposite the mouth of the Des Moines, is destined to do all the forwarding trade of that river. There is no place on the Des Moines itself, within less than 14 miles of the mouth, where a town can be built. On the west side of the Mississippi, below the mouth, the ground is too low and subject to be flooded: and above the mouth, on the same side, it is three or four miles before you can reach suitable ground for building. As the current of the river is very strong, this distance would effectually prevent the ascent of flat boats to that point; whereas, they might easily cross the river to the opposite town. Warsaw will be a place of considerable business, derived from its own back country, and being so conveniently situated for the trade of the Des Moines, the two together must make it an important town.

It is situated in part under, and in part upon the bluff, which is abrupt and about 200 feet high. The convenient space for building near the water is quite limited; but there is ample room for the town to spread upon the hill, and the ascent from the river is easy. Few buildings are yet erected; but the public attention has been recently much directed to the place, and it is beginning to grow

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rapidly. Water lots sold there, in the autumn of 1835, at the rate of ten dollars per foot; but the building lots on the hill are yet sold at very low rates. The proprietors are men of character and respectability, and give indisputable titles to lots.

KROKUK is situated on the west bank of the Mississippi, near the foot of the Lower Rapids, and derives its chief importance from that obstruction. Boats stop here to change their freight; and sometimes they store their cargoes to await a rise in the water. When the Half-Breed lands were surveyed, a mile square was laid off here for a town-site, and it is understood that this is to be held in common by all the claimants to these lands. It was expected that large storages would be made at this place for all the trade of that part of the Mississippi lying above these rapids; but as the means of obviating the difficulties caused by them are improved, the less will this trade contribute to the growth of this town. It has a small back country along the Mississippi opposite the rapids, and on the Des Moines and Sugar Creek. No fee-simple titles to lots can yet be procured, as the town site is subject to the same difficulties as the Half-Breed tract generally.

FORT DES MOINES. There is a good landing here, a fine site for a town, and some good farming lands around. Being situated just at the head of the rapids, it is the most convenient place for the larger boats to change their freight to and from the smaller boats that take it over the rapids. It is said to have been the site of an old French village; and there are some remains of such a settlement. This spot is at present occupied by a detachment of the United States Dragoons; but it is probable that the post will soon be abandoned; and then it will be subject to occupation, as are other Half-Breed lands.

MADISON. This is the site of old Fort Madison, which was abandoned by its garrison and burnt during the last war with Britain. Nature seems to have designed this

place for the trade of an extensive back country. It has an excellent landing, the only good one from Fort Des Moines to Burlington; and the locality is well adapted to an extensive city. By casting the eye on the map, it will be perceived that all that fine country between the Des Moines and Chacaqua rivers must do its import and export business at this point. This place was laid out in lots in November, 1835; the lots were immediately sold out, and building is now rapidly progressing.

BURLINGTON. This place has a good landing, and a tolerable site for building. There is a fine quarry of sandstone within the town. The first settlement was made here in 1833, and the town was laid out in 1834. It contained about 400 inhabitants at the close of 1835, and lots of 60 feet front, in the best situations, were then selling as high as fifteen hundred dollars. The country back of this town of yesterday, has the appearance of an old settled region. Here are farms containing as much as 350 acres under cultivation, in places where a plough had never been a year before. As there is no other convenient site for a town on the Mississippi, between the Chacaqua and Iowa rivers, an inspection of the map will show a large and fertile region that must necessarily do all its trading at Burlington. It is at present the seat of justice of Des Moines County.

There are several sites for towns spoken of about the mouth of the Iowa; but none of these places can have any importance; as I deem it certain that there can be no town of magnitude *near* the Mississippi, unless it be on the Mississippi, except in very peculiar cases, such as that of Galena in the Lead Mines.

NEW BOSTON, situated on the Illinois shore, opposite to the mouth of the Iowa, will do the forwarding business of that river, as Warsaw will that of the Des Moines, and for similar reasons. This place has a good landing and a fine harbour; but its site is excessively sandy, and the stagnant water in the vicinity renders it unhealthy.

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KASEY'S. A gentleman of this name intends laying out a town at the head of the Muscatine Slue. The place possesses the advantages of an excellent landing, and of a fine back country; but the bluff, probably 200 feet high, approaches the river very abruptly, allowing little room for building below it, and rendering difficult the ascent to the level ground above. The contiguity of the swamps of the Muscatine Island and of Sturgeon Bay, will have a tendency to create much disease at this point. Notwithstanding these disadvantages, it must be a place of considerable trade; as it is the first place above Burlington, where a town can be built on the west bank of the Mississippi, thus leaving an interval between these two places of forty miles on the river.

IOWA. This is the name of a town to be laid out at the mouth of Pine river, about 330 miles above Saint Louis. From its situation at the apex of a great bend in the Mississippi, it is central to a large district of country; and the near approach of the Iowa river just back of it, brings all the settlements along a great part of that stream, within a short distance of this place. It possesses the most convenient landing from Burlington to the head of the Upper Rapids; and no place could be better adapted to the erection of buildings. The harbour of Pine river runs through the town, affording good landings on both sides; and boats may land any where on the Mississippi shore, for a mile and a half above the mouth of Pine. This will be the point of deposit for the trade of the country included between the Iowa, Wabesapinica, and Mississippi; and for the disembarkation of emigrants going to that region. But a simple inspection of the map is sufficient to show its general advantages of position. Its local conveniences are, its landing, its harbour, its fine sloping grounds, its good water, its water-power, its timber, and its building-stone.

As soon as the Legislative Council of Wisconsin shall be assembled, the District will be re-divided into counties; and Madison and Iowa will probably be made county

towns. Should the seat of Government of the future State of Iowa be located on the Mississippi, it would probably be fixed at Iowa, owing to the central position and commercial advantages of that place; and if it be located in the interior, it must be near the Iowa river, as the weight of population will be there; and then the town of Iowa will be the nearest port on the Mississippi to the Capital of the State. There are some of the most beautiful sites for private residences between this and Rock Island, that can be desired; Nature here has made her finest display of gay and cheerful beauty.

THROCKMORTON'S LANDING. About six miles above Iowa is the next landing; and it is said to be a very convenient one. This point is stated by the surveyor of the boundary line of the purchase, to be just forty miles from the angle of that line on the Iowa river. It is a handsome place, and belongs to a worthy man, who knows how to prize its value.

CLARK'S FERRY. This is the most convenient place to cross the Mississippi, that I have seen any where between the Balize and Prairie du Chien. Nature seems to have designed it for a great crossing place, by arranging good banks just opposite to an opening in the islands, and at a point where a good ferry would naturally be much wanted. All persons coming from the direction of the Illinois river to the great Mining Region of the Iowa District, or passing toward the Capital of the future State of Iowa, would naturally cross the Mississippi at this ferry. Were the landing good on the west side, there would certainly be a large town there, instead of the site at the mouth of Pine river.

DAVENPORT. This is a town just laid out on a Reserve belonging to Antoine Leclair; and as he has the fee-simple title to his Reserve, the titles to lots sold here are subject to no difficulty whatever. It is nearly opposite to the lower end of Rock-Island, about 350 miles by water,

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above Saint Louis, and is situated on high ground, with a beautiful range of sloping hills running in the rear of it. The town of Stephenson, the mouth of Rock river, the picturesque works on Rock-Island, and Leclair's house and plantation, are all within full view of this point. Its situation is certainly delightful, so far as beauty and health are concerned; but there is doubt as to the convenience of landing. Its position, near the foot of the Rapids, where navigation is much obstructed, will cause it to be resorted to as a place of shipment, both for persons and freight. Water-power, building stone, and bituminous coal are convenient, and abundance of excellent timber is to be found on the hills and creeks of the vicinity.

The town has been laid out on a liberal scale, with a view to its becoming a large city. Three public squares have been reserved from sale, one of which, it is supposed by the proprietors, will be occupied by the public buildings of the future State of Iowa; for they confidently predict that the seat of Government of this forth-coming commonwealth will be no other than the city of Davenport itself. *Nous verrons.*

PARKHURST. Of this place, not yet laid out, it is sufficient to say that the site is beautiful, the landing good, building material convenient, and the back country fine. There is nothing wanting to make it a town but the people and the houses, and these will soon be there. Its position at the head of the Rapids will throw a little more trade and storage there, than it would otherwise have. A good deal of the trade of the Wabesapinica will find a port at Parkhurst; and many persons, emigrating from Illinois and the Lakes, will pass by this route.

BELLEVUE. This place has a good landing, where boats approach close to shore for one and a half miles above the mouth of the Tetes des Morts. There is no room for building near the water's edge, in consequence of the proximity of the bluff to the river; but an easy ascent may be effected from the landing to the heights, where there

is no want of space for a town of any magnitude. The prairie runs back from the river about one mile; and in rear of that again there is open woods for several miles. Fine white limestone, approaching marble, is found abundantly in this bluff; and a saw-mill at hand affords lumber convenient for building. There is a good ferry already established; and the mineral and agricultural resources of the contiguous region are attracting many emigrants. The town was laid out in 1835, and immediately after several houses were erected, and lots sold at prices varying from one to two dollars per foot. It must soon be a place of much trade.

CATFISH. This is a little place laid out in 1832, on a piece of flat ground, containing about fifteen acres, and hemmed in on all sides by a precipitous rocky bluff, the Mississippi, and the creek of the same name. It possesses great advantages in the richness of the contiguous mines, has a good landing, a mill near at hand, and is withal a very busy little place. It takes its name from the quantities of catfish that are found in the sluggish water at the mouth of the creek.

RIPEW. Here are mines along the sloping hill side; where, as you sweep along the Mississippi on the noisy steamer, you may see the hardy miners, as they tear the lead from the bowels of the earth. Here, too, are some of the finest smelting establishments in the world. The landing is good, and fuel and building materials are convenient. Several stores are already established about the furnaces, though no grounds have yet been laid off for sale as town lots.

DU BUQUE. This is the centre of the Mining Region of the Iowa District. The operations in these mines were commenced in the year 1832, when the country was still in the possession of the Indians; and in 1833, after the acquisition of the District by the United States, the town was laid out and permanently settled. It contained in the

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autumn of 1835, about twenty-five dry good stores, numerous groceries, four taverns, a court-house, a jail, and three churches. One of these, the Catholic, is a beautiful little building. Ten steam-boats, which run between this and Saint Louis, are partly owned here; and there is also here a steam-ferry-boat. The site of the town is very handsome, and building materials and fuel are convenient. The surrounding country is as fertile in grain and grass as productive in mineral.

In the autumn of 1835, the population was about 1,200 and was rapidly increasing. The people of this town are exceedingly active and enterprising, carrying on an extensive trade in the products of their mines, and in supplying the miners with the necessaries and comforts of life. Every thing here is in a flourishing condition, for all labour is well paid.

As the lands yet belong to the United States, and no regulations have been made in relation to the working of the mines, they are subject to the occupation of any one who may think proper to take possession. New deposits are discovered daily, and there are doubtless others yet to be found as rich as any already explored. The miners here pay no tribute, as they do at the mines about Galena; nor will they be called on to do so, until the country shall be surveyed and brought into market; and in the meantime, the settler may make money enough to pay for many quarter sections of land.

THE ART OF MINING is said to be more skilfully practised at these mines than in any other part of the world. Here are capital, western enterprise, foreign experience, and Yankee ingenuity combined; and they have brought to their assistance the powers of both water and steam. The smelting establishments have recently been much improved, and are now conducted with scientific accuracy, yielding seventy or eighty per cent of lead from the native sulphuret.

PERU. On the south of the Little Nequoquetois, a

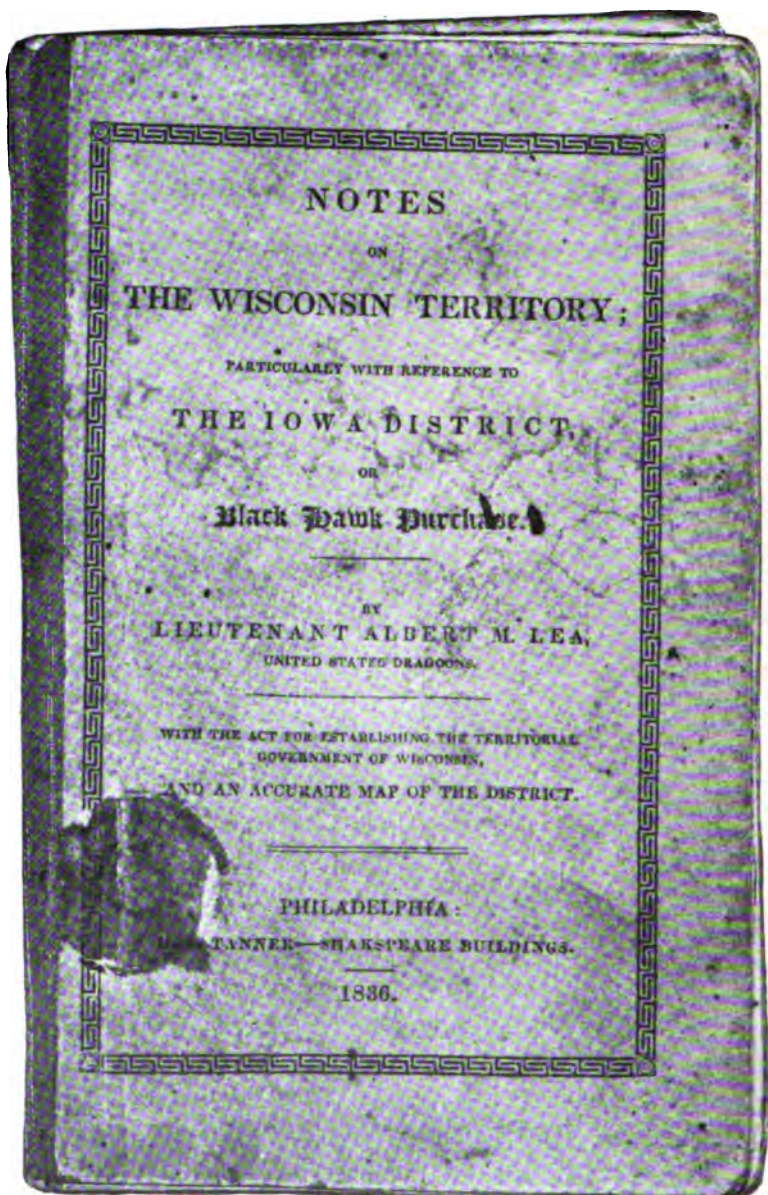
strip of low ground, about a mile wide and covered with timber, separates the high ground from the Mississippi; but boats readily run up the stream to the heights, where is beautifully situated, on rolling ground, the town of Peru, so named from the richness of the mines by which it is surrounded. It has beauty of situation, richness of surrounding soil, great mineral wealth in its vicinity, convenience of wood, stone and lumber, and every thing that could be desired for a town in this climate, except that it is not exactly on the Mississippi. Nevertheless, Peru must be a place of much trade in the products of the contiguous mines.

There are many smaller towns, and sites for towns in expectation, not mentioned in these notes. Some of these places deserve a particular description; but it is not in the power of the author to give it, for want of sufficient information.

ROADS. The natural surface of the ground is the only road yet to be found in Iowa District; and such is the nature of the soil, that in dry weather we need no other. The country being so very open and free from mountains, artificial roads are little required. A few trees taken out of the way, where the routes much travelled traverse the narrow woods, and a few bridges thrown over the deeper creeks, is all the work necessary to give good roads in any direction.

A post-route has been established from Saint Louis to Du Buque, passing by the west side of the Mississippi; and it is quite probable, that by the first of September next, post coaches, drawn by four horses, will be running regularly through that route.

It may appear to some unacquainted with the character of our western people, and not apprized of the rapid growth of this country, that some of my descriptions and predictions are fanciful; but if there be error in them, it is rather that the truth is not fully expressed than that it is transcended.



Facsimile of cover of Lea's "Notes on Wisconsin Territory" owned by the Historical Department of Iowa.

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AN ACT

*For establishing the Territorial Government
of Wisconsin.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the third day of July next, the country included within the following boundaries shall constitute a separate Territory, for the purposes of temporary government, by the name of Wisconsin; that is to say: Bounded on the east, by a line drawn from the north-east corner of the State of Illinois, through the middle of Lake Michigan, to a point in the middle of said lake, and opposite the main channel of Green Bay, and through said channel and Green Bay to the mouth of the Menomonic river; thence through the middle of the main channel of said river, to that head of said river nearest to the Lake of the Desert; thence in a direct line, to the middle of said lake; thence through the middle of the main channel of the Montreal river, to its mouth; thence with a direct line across Lake Superior, to where the territorial line of the United States touches said lake north-west; thence on the north, with the said territorial line, to the White-earth river; on the west, by a line from the said boundary line following down the middle of the main channel of White-earth river, to the Missouri river, and down the middle of the main channel of the Missouri river to a point due west from the north-west corner of the state of Missouri; and on the south, from said point, due east to the north-west corner of the state of Missouri; and thence with the boundaries of the States of Missouri and Illinois, as already fixed by act of Congress. And after the said third day of

July next, all power and authority of the Government of Michigan in and over the territory hereby constituted, shall cease; *Provided*, That nothing in this act contained shall be construed to impair the rights of person or property now appertaining to any Indians within the said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to impair the obligations of any treaty now existing between the United States and such Indians, or to impair or anyway to affect the authority of the Government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty, or law, or otherwise, which it would have been competent to the Government to make if this act had never been passed: *Provided*, That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing the territory hereby established into one or more other Territories, in such manner, and at such times, as Congress shall in its discretion, deem convenient and proper, or from attaching any portion of said Territory to any other State or Territory of the United States.

SEC. 2. *And be it further enacted*, That the Executive power and authority in and over the said Territory shall be vested in a Governor, who shall hold his office for three years, unless sooner removed by the President of the United States. The Governor shall reside within the said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian affairs, and shall approve of all laws passed by the Legislative Assembly before they shall take effect; he may grant pardons for offences against the laws of the said Territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said Territory, and shall take care that the laws be faithfully executed.

SEC. 3. *And be it further enacted*, That there shall

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be a Secretary of the said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the Legislative Assembly hereinafter constituted; and all the acts and proceedings of the Governor in his executive department; he shall transmit one copy of the laws and one copy of the Executive proceedings, on or before the first Monday in December in each year, to the President of the United States; and at the same time, two copies of the laws to the Speaker of the House of Representatives, for the use of Congress. And in case of the death, removal, resignation, or necessary absence of the Governor from the Territory, the Secretary shall have and he is hereby authorized and required to execute and perform, all the powers and duties of the Governor during such vacancy or necessary absence.

SEC. 4. *And be it further enacted.* That the Legislative power shall be vested in the Governor and a Legislative Assembly. The Legislative Assembly shall consist of a Council and House of Representatives. The Council shall consist of thirteen members, having the qualifications of voters as hereinafter described, whose term of service shall continue four years. The House of Representatives shall consist of twenty-six members, possessing the same qualifications as prescribed for the members of the Council, and whose term of service shall continue two years. An apportionment shall be made, as nearly equal as practicable, among the several counties, for the election of the Council and Representatives, giving to each section of the Territory representation in the ratio of its population, Indians excepted, as nearly as may be. And the said members of the Council and House of Representatives shall reside in and be inhabitants of the district for which they may be elected. Previous to the first election, the Governor of the Territory shall cause the census or enumeration of the inhabitants of the several counties in the Territory to be taken and made by the sheriffs of the said counties, respectively, and returns thereof made by said sheriffs to

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the Governor. The first election shall be held at such time and place, and be conducted in such manner, as the Governor shall appoint and direct; and he shall, at the same time, declare the number of members of the Council and House of Representatives to which each of the counties is entitled under this act. The number of persons authorized to be elected having the greatest number of votes in each of the said counties for the Council, shall be declared, by the said Governor, to be duly elected to the said Council; and the person or persons having the greatest number of votes for the House of Representatives, equal to the number to which each county may be entitled, shall also be declared, by the Governor, to be duly elected; *Provided*, The Governor shall order a new election when there is a tie between two or more persons voted for, to supply the vacancy made by such tie. And the persons thus elected to the Legislative Assembly shall meet at such place on such day as he shall appoint; but thereafter, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties to the Council and House of Representatives, according to population, shall be prescribed by law, as well as the day of the annual commencement of the session of the said Legislative Assembly; but no session, in any year, shall exceed the term of seventy-five days.

SEC. 5. *And be it further enacted*, That every free white male citizen of the United States, above the age of twenty-one years, who shall have been an inhabitant of said Territory at the time of its organization, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters at all subsequent elections shall be such as shall be determined by the Legislative Assembly; *Provided*, That the right of suffrage shall be exercised only by citizens of the United States.

SEC. 6. *And be it further enacted*, That the Legislative power of the Territory shall extend to all rightful sub-

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jects of legislation; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. All the laws of the Governor and Legislative Assembly shall be submitted to, and if disapproved by the Congress of the United States, the same shall be null and of no effect.

SEC. 7. *And be it further enacted*, That all township officers, and all county officers, except judicial officers, justices of the peace, sheriffs, and clerks of courts, shall be elected by the people, in such manner as may be provided by the Governor and Legislative Assembly. The Governor shall nominate, and by and with the advice and consent of the Legislative Council, shall appoint, all judicial officers, justices of the peace, sheriffs, and all militia officers, except those of the staff, and all civil officers not herein provided for. Vacancies occurring in the recess of the Council shall be filled by appointments from the Governor, which shall expire at the end of the next session of the Legislative Assembly, but the said Governor may appoint, in the first instance, the aforesaid officers, who shall hold their offices until the end of the next session of the said Legislative Assembly.

SEC. 8. *And be it further enacted*, That no member of the Legislative Assembly shall hold or be appointed to any office created, or the salary or emoluments of which shall have been increased, whilst he was a member, during the term for which he shall have been elected, and for one year after the expiration of such term; and no person holding a commission under the United States, or any of its officers, except as a militia officer, shall be a member of the said Council, or shall hold any office under the Government of the said Territory.

SEC. 9. *And be it further enacted*, That the Judicial power of the said Territory shall be vested in a supreme court, district court, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice

and two associate judges, any two of whom shall be a quorum, and who shall hold a term at the seat of Government of the said Territory, annually, and they shall hold their offices during good behavior. The said Territory shall be divided into three judicial districts; and a district court or courts shall be held in each of the three districts, by one of the judges of the supreme court, at such times and places as may be prescribed by law. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts, and of the justices of the peace, shall be as limited by law: *Provided, however,* That justices of the peace shall not have jurisdiction of any matter of controversy, when the title of boundaries of land may be in dispute, or where the debt or sum claimed exceeds fifty dollars. And the said supreme and district courts, respectively, shall possess chancery as well as common law jurisdiction. Each district court shall appoint its clerk, who shall keep his office at the place where the court may be held, and the said clerks shall also be the registers in chancery; and any vacancy in said office of clerk happening in the vacation of said court, may be filled by the judge of said district, which appointment shall continue until the next term of said court. And writs of error, bills of exception, and appeals in chancery causes, shall be allowed in all cases from the final decisions of said district courts to the supreme court, under such regulations as may be prescribed by law; but in no case removed to the supreme court, shall a trial by jury be allowed in said court. The supreme court may appoint its own clerk, and every clerk shall hold his office at the pleasure of the court by which he shall have been appointed. And writs of error and appeals from the final decisions of the said supreme court shall be allowed and taken to the Supreme Court of the United States in the same manner, and under the same regulations, as from the circuit courts of the United States, where the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, shall exceed one thousand dol-

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lars. And each of the said district courts shall have and exercise the same jurisdiction, in all cases arising under the constitution and laws of the United States, as is vested in the circuit and district courts of the United States. And the first six days of every term of the said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said constitution and laws. And writs of error, and appeals from the final decisions of the said courts, in all such cases, shall be made to the supreme court of the Territory, in the same manner as in other cases. The said clerks shall receive, in all such cases, the same fees which the clerk of the district court of the United States in the northern district of the State of New York receives for similar services.

SEC. 10. *And be it further enacted*, That there shall be an attorney for the said Territory appointed, who shall continue in office four years, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States for the Michigan Territory. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the President, who shall execute all process issuing from the said courts when exercising their jurisdiction as circuit and district courts of the United States. He shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, as the marshal of the district court of the United States for the northern district of the State of New York; and shall, in addition, be paid the sum of two hundred dollars, annually, as a compensation for extra services.

SEC. 11. *And be it further enacted*, That the Governor, Secretary, Chief Justice and Associate Judges, Attorney, and Marshal, shall be nominated, and, by and with the advice and consent of the Senate, appointed by the President of the United States. The Governor and Secretary, to be appointed as aforesaid, shall, before they act as such, respectively take an oath or affirmation before some judge or justice of the peace in the existing Territory of Michi-

gan, duly commissioned and qualified to administer an oath or affirmation, to support the Constitution of the United States, and for the faithful discharge of the duties of their respective offices; which said oaths, when so taken, shall be certified by the person before whom the same shall have been taken, and such certificate shall be received and recorded by the said Secretary among the Executive proceedings. And, afterwards, the Chief Justice and Associate Judges, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said Governor or Secretary, or some judge or justice of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the Secretary, to be by him recorded as aforesaid; and, afterwards, the like oath or affirmation shall be taken, certified, and recorded, in such manner and form as may be prescribed by law. The Governor shall receive an annual salary of two thousand five hundred dollars for his services as Governor, and as superintendent of Indian Affairs. The said Chief Justice and Associate Judges shall each receive an annual salary of eighteen hundred dollars. The Secretary shall receive an annual salary of twelve hundred dollars. The said salaries shall be paid quarter-yearly, at the Treasury of the United States. The members of the Legislative Assembly shall be entitled to receive three dollars each per day, during their attendance at the sessions thereof; and three dollars each for every twenty miles' travel in going to, and returning from, the said sessions, estimated according to the nearest usually travelled route. There shall be appropriated, annually, the sum of three hundred and fifty dollars, to be expended by the Governor to defray the contingent expenses of the Territory; and there shall also be appropriated, annually, a sufficient sum, to be expended by the Secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the Legislative Assembly, the printing of the laws, and other incidental expenses;

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and the Secretary of the Territory shall annually account to the Secretary of the Treasury of the United States for the manner in which the aforesaid sum shall have been expended.

SEC. 12. *And be it further enacted*, That the inhabitants of the said Territory shall be entitled to, and enjoy, all and singular the rights, privileges, and advantages, granted and secured to the people of the Territory of the United States north-west of the river Ohio, by the articles of the compact contained in the ordinance for the government of the said Territory, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven; and shall be subject to all the conditions and restrictions and prohibitions in said articles of compact imposed upon the people of the said Territory. The said inhabitants shall also be entitled to all the rights, privileges, and immunities heretofore granted and secured to the Territory of Michigan, and to its inhabitants, and the existing laws of the Territory of Michigan shall be extended over said Territory, so far as the same be not incompatible with the provisions of this act, subject, nevertheless, to be altered, modified, or repealed, by the Governor and Legislative Assembly of the said Territory of Wisconsin; and further, the laws of the United States are hereby extended over, and shall be in force in, said Territory, so far as the same, or any provisions thereof, may be applicable.

SEC. 13. *And be it further enacted*, That the Legislative Assembly of the Territory of Wisconsin shall hold its first session at such time and place in said Territory as the Governor thereof shall appoint and direct; and at said session, or as soon thereafter as may by them be deemed expedient, the said Governor and Legislative Assembly shall proceed to locate and establish the seat of Government for said Territory, at such place as they may deem eligible, which place, however, shall thereafter be subject to be changed by the said Governor and Legislative Assembly. And twenty thousand dollars, to be paid out of any money in the Treasury not otherwise appropriated, is hereby given to the said Territory, which shall be applied

by the Governor and Legislative Assembly to defray the expenses of erecting public buildings at the seat of Government.

SEC. 14. *And be it further enacted*, That a delegate to the House of Representatives of the United States, to serve for the term of two years, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as have been granted to the delegates from the several Territories of the United States to the said House of Representatives. The first election shall be held at such time and place, or places, and be conducted in such manner, as the Governor shall appoint and direct. The person having the greatest number of votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given to the person so elected.

SEC. 15. *And be it further enacted*, That all suits, process, and proceedings, and all indictments and informations, which shall be undetermined on the third day of July next, in the courts held by the additional judge for the Michigan Territory, in the counties of Brown and Iowa; and all suits, process, and proceedings, and all indictments and informations, which shall be undetermined on the said third day of July, in the county courts of the several counties of Crawford, Brown, Iowa, Dubuque, Milwalke, and Desmoines, shall be transferred to be heard, tried, prosecuted, and determined in the district courts hereby established, which may include the said counties.

SEC. 16. *And be it further enacted*, That all causes which shall have been, or may be removed from the courts held by the additional judge for the Michigan Territory, in the counties of Brown and Iowa, by appeal or otherwise, into the supreme court for the Territory of Michigan, and which shall be undetermined therein on the third day of July next, shall be certified by the clerk of the said supreme court, and transferred to the supreme court of said Territory of Wisconsin, there to be proceeded in to final determination, in the same manner that they

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might have been in the said supreme court of the Territory of Michigan.

SEC. 17. *And be it further enacted*, That the sum of five thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended by and under the direction of the Legislative Assembly of said Territory, in the purchase of a library for the accommodation of said Assembly, and of the supreme court hereby established.

JAMES K. POLK,
Speaker of the House of Representatives.

M. VAN BUREN,
*Vice-President of the United States,
and President of the Senate.*

Approved: 20th April, 1836.

ANDREW JACKSON.

INSTALLATION OF THE TEMPLE TABLET,
JUNE 17, 1913.

ADDRESS BY HON. THOMAS HEDGE.

I thank you for this privilege of joining you while you are taking thought of yesterday, seeking to keep the past secure, recalling its lessons of soberness and steadiness for today and of illuminating guidance for tomorrow.

A frequent mandate of our most ancient and authentic book of law is to remember. As a sound memory is a humanly prescribed requisite for a last will, a sound and active memory is a divinely ordained prerequisite for the informed, instructed and benevolent will which insures right conduct and develops pure character.

We and those who are to come owe and are to owe a great debt to Mr. Edward Temple for providing in the Historical Department of Iowa a memorial of a group of pioneers, which not only shall perpetuate for those who knew them delightful memories of their personal traits, their familiar conversation, and their habits of life, but also, arresting the attention of another generation who knew them not, shall excite curiosity, stimulate the study of the times and conditions in which they lived and the searching out of the qualities of mind and heart, by the exercise of which this commonwealth of Iowa, their heritage, was founded and builded and handed down to them "a goodly heritage."

Those conditions were strange but these were not strange men. If they had been there might be no lesson or inspiration for us in their story. They might have furnished no pattern or compelling example for us common men.

Because they were like ourselves, of like passions and limitations and "often infirmities" that story of adventurous enterprise, of hardness endured, of importunate energy, of difficulties overcome, of faith, of patience, of public spirit

and neighborly kindness may not only justify our pride in our origin, but also quicken our sense of our own responsibility and impart to us sane notions of private conduct and of civil duty.

While these seven men were all native Americans their places of nativity were widely separate. Reckoning the ways and means of travel then, they were as remote from one another as Des Moines is today from Jerusalem—Jerusalem old or new.

The senior of them all, George Temple, or Major Temple as he was always addressed or spoken of, was born in Westmoreland, New Hampshire, in 1804 and was thirty-two years old when he came to Burlington, then in Wisconsin Territory. Levi Hager, whose counterfeit presentment you have not been able to obtain, was born in Hagerstown, Maryland, and came to Burlington in 1837. All the others were at least ten years younger. Anthony Wayne Carpenter, named for his father's famous friend, born in Lancaster County, Penn., was twenty-three and William B. Remey, born in Kentucky, was twenty-two when they landed at Burlington in 1837. Bernhart Henn was born in Cherry Valley, New York, a few miles from the home of James Fenimore Cooper, birthplace of the Indian of romance, and caught his first sight of Iowa Indians when, a boy of eighteen, he landed at Burlington in 1838.

William F. Coolbaugh from Pike County, Penn., came later in 1842 at the age of twenty-one years and William Salter, a native of Brooklyn, New York, came in 1843 at the age of twenty-two years.

If time served it would be pleasant to attend in particular detail to the personal characteristics of these interesting men, their ways of life, the vicissitudes of their fortune, their fortitude under disappointment and failure, their moderation in success. They were as various in their personalities as seven North Americans well could be; so various that they might have seemed the epitome of all the stalwart and dominant races of mankind. But whatever this diversity of accident and external they were all true men, men of force and dignity,

who won and held the friendship of each other and the esteem and confidence of all their neighbors in the new community.

It is pleasant to remember the urbane and handsome Major Temple, in manner and attire ever indicating his real nature as "a gentleman of the old school;" the busy and ubiquitous Levi Hager from Hagerstown, whose every waking hour might have disproved Robert Ingersoll's libel of inertness on the native Marylander; the attractive and engaging ways of Anthony Carpenter whose sterling integrity and manifest human kindness secured his wide and lasting influence among all our people; the calm and genial presence, "the good gray head that all men knew" of Major Remey; that embodiment of energy and initiative, William F. Coolbaugh, our great merchant, an effective public speaker, who became our leading banker and then the first financial authority in Chicago.

It was not my privilege to know Mr. Bernhart Henn, but I have heard and read enough of him to count him an equal in that noble brotherhood and to presume that his employment in the land sales at Burlington in November, 1838, was one of his delightful memories.

Some of you may not know that every one who entered and occupied land in southeastern Iowa (then Michigan and Wisconsin Territory) from June 1, 1833, until November, 1838, did so in disregard of written law, that he was a trespasser, as the strenuous one might say "a malefactor". March 3, 1807, Congress passed and President Jefferson approved an act providing that any person who should thus enter public lands and make any claim to any part thereof and attempt to define the limits of the land thus claimed by marking of trees or otherwise, unless thereto duly authorized by law should forfeit his right, title or claim of whatsoever nature to said land, and that it would be lawful for the President to remove him therefrom at his discretion, etc. A law beautifully adapted to the conservation of our natural resources in its prohibition of their discovery, also a warning as apt and effectual as might have been a written notice to the rain to keep off the grass. Later, Congress perceiving that the rain continued to fall, or to drop the figure, that free Americans were

going in increasing numbers whithersoever they listed on the public lands and were staking out claims thereon, and perhaps catching a glimmer of the principle that government, like the Sabbath, was made for man and not man for the government, enacted laws recognizing preemption rights in certain parts of the west and southwest, but none of these laws applied in terms to our neighborhood. So while our settlers held on their uncharted and unchartered course, this condition gave rise to general anxiety, to doubts, to controversies and to law suits. Three cases may be found in our Morris' Reports in which the defense is the alleged invalidity of a transfer of a settler's claim as a consideration of the promise to pay for it. The case of Hill against Smith tells the whole story. Judge Charles Mason's statement of the facts with his reasons for his judgment (sustaining the note) make what Horace Greeley would call mighty interesting reading, not only for lawyers but for any one desirous of learning through how great and how multifarious tribulation our fathers entered into this kingdom.

Finally the act of June 22, 1838, recognized, with conditions, preemption rights in Iowa. Land offices were established at Dubuque and Burlington. Gen. Augustus Caesar Dodge was made Register of the Land Office at Burlington and sales were duly ordered. Bernhart Henn was appointed crier at the sales. Of course everybody was on hand. Two thousand people they say were lodged or encamped in and about Burlington, many sober and all in sober earnest. "To establish justice, to promote the general welfare, and to provide for the common defense," claim clubs had been organized in every township. Each settler's claim with his name inscribed thereon was platted, and this plat thus inscribed placed in the hands of the able-bodied young settler who had been agreed upon as bidder for all concerned.

So all things had been prepared "decently and in order." At the sale "a decent respect to the opinions of mankind" (that mankind carrying big sticks) seems to have repressed ardor of competition for there was only one bid for each parcel of land. When young Bernhart cried "sold" in response to this solitary but unanimous bid, he seemed the herald of

repose. This magic word removed the trespasser's transgression from him and changed the Stars and Stripes from a portent of eviction to a promise of protection.

Some twelve or fifteen years later Mr. Henn was our representative in congress but there is no record that any prophetic sense of a Sherman law ever stirred him to move for an annulment of his sales because of conspiracy or wicked combination or other rudimental methods of our rude forefathers.

In 1843 the American Home Missionary Society sent hither eleven young Christian ministers named in our annals "The Iowa Band" or "The Andover Band". The youngest of these was William Salter, who first crossed the river at Burlington, November 10, 1843. His first allotted field was Maquoketa and the region round about. His colleague, Horace Hutchinson, assigned to Burlington, died in 1846, and in April of that year began William Salter's ministry in the Congregational church of Burlington, which was vouchsafed to be continued for sixty-five years. He followed his Master never afar off, so seeing and doing his will in "the daily round, the common task," that his example came to be our approved exposition of the Sermon on the Mount. His simple way, his easy dignity, his enlightened sympathy, his plain unbounded charity for all sorts and conditions of men, drew all men unto him. Men of whatever belief or of whatever unbelief believed in him.

Persuaded that memory is a divine gift, its exercise a trust to be fulfilled, to his latest days he busied himself in the study and preservation of the annals of the past. On the day he became eighty-three years old he gave us "Iowa, the First Free State in the Louisiana Purchase", as thirty years before he had given us in his "Life of James W. Grimes", an invaluable record of the beginnings in Iowa and of her advance to prosperity and power.

But it is needless to dwell upon this individual history. The fact that George Temple and Levi Hager and Anthony Carpenter were mayors of Burlington and Major Temple the Speaker of our Iowa House of Representatives; that Major Remey was our recorder and county treasurer for many

years,—has its best significance as evidence of the good sense of their neighbors and of the high character they demanded in the public service.

These men are best remembered not as exceptional men but as representatives of an exceptional class of men, for, as it seems to me, the men and women who entered and possessed our southeastern neighborhood in the territorial days from June, 1833, to December, 1846, were, taken as a whole, of that fine sort which might justify the ancient doctrine of election so far as it may be applicable to the world that now is.

It is worth noting that as a rule they did not come as colonists. The village of Denmark in Lee county, settled in 1838 by a group of families from New Hampshire is the only exception that I now call to mind. They came independently, each, as he would have described it, on his own hook. They were not Pilgrim Fathers seeking religious freedom. Whatever religion they were endowed with had had ample room for exercise at home. Nor were they Argonauts exploring for a golden fleece. They were simply the young, healthy, sane-minded, venturesome sons and daughters of well-doing and well-to-do families of New England, New York, Pennsylvania, Virginia, North Carolina and Kentucky, who came hither to find among the wooded hills on the further side of the great river, on the silent, lonesome prairie, stretching so vastly toward the setting sun, work places and dwelling places. They came to make their way, to earn their living, to establish homes by the exercise of the homely virtues.

Not "the roll of the stirring drum", nor the "trumpet that sings of fame," but the axe ringing in the timber first sounded the advance of our vanguard of civilization.

We cannot claim that they were all in danger of being translated; then as now, no man could become a saint who was not capable of being a sinner. We cannot deny that here and there and now and then they were burdened by the idle, distressed by the vicious and infested by the common varieties of inconvenient citizens, enough to try the strength of their manhood and the grace of their womanhood, but we are thank-

ful to remember that that strength and that grace were sufficient for the day.

I am not prepared to admit that I am misled by the enchantment that distance lends in my view of our territorial age as our golden age. Of course I do not mean in its material and temporal aspect, but only that it was the age in which the conditions and exactions of daily life, calling into constant action even the reserve forces of mind and heart, brought forth the finest qualities of manhood and womanhood; to a high degree the strength and beauty of human character. Earning a living they entered into life.

Theirs was a community separate and sequestered, whose connection and communication with the great body of their own race was unfrequent, intermittent and precarious. They were a long way from home. For them the sun rose in a wilderness and set in a desert, for that part of Illinois from which the rising morning awakened their "Flint Hills" was yet a solitary plain girded by the forest primeval, and the zig-zag rails that outlined the limit of the white man's progress were within the sweep of one's evening horizon, a single day's wagon journey from the bank of the Mississippi.

That river was "their way of necessity" to the outer and the older world. Whenever the smoke of a coming steamboat was descried over the southeastern bluff, almost the entire population hurried to the landing place, eager for the sight of new faces, or of old, familiar faces, for supplies, for newspapers and for letters. To get a letter was an event, for the letter was a composition of study, of deliberation, full of vital substance. There were letter writers in those days.

There was little of luxury or of elegance in their belongings. If of different degrees of origin as society was measured at their birthplaces, all were of one social order here. Hospitality was universal, a blessing and a need to the giver as to the receiver. While the habit of overcoming difficulties which the struggles of their daily life imposed upon them had bred in them a fine and constant self-reliance, they recognized and valued their mutual dependence; the common interest bound

them. Bringing with them a diversity of experience, of opinion, of prejudice and of manners from their widely separated eastern homes, they found something to compare, to exchange and to learn from one another. There was the charm of novelty in their conversation. They enjoyed the great advantage of hobnobbing with those who saw things differently, and in their intercourse, at once becoming close and intimate, these original provincials instructed, educated, enlarged and Americanized each other, discovered their real kinship and common likeness, found that their first unlikeness had been only external and adventitious, never of the substance or of the spirit.

The transitory nature of their sectional prejudices is illustrated if not proved by certain transactions deemed important in those simple days:

Major Temple of New Hampshire married a daughter of Old Virginia, Sarah Forrest Deaton of Salem. Young Mr. Remey of Kentucky won a girl born in Vermont, a lineal descendant of John Howland of the "Mayflower", and William F. Coolbaugh of Pennsylvania surrendered to a Kentucky maiden. I need only say further that these unions were perpetual, ending only when death did them part as was the fashion of the pioneers. It could hardly have been otherwise for the pioneer wife and mother was in this image and after this likeness:

"The heart of her husband doth safely trust in her. She will do him good and not evil all the days of her life.

She seeketh wool, and flax, and worketh willingly with her hands.

She layeth her hands to the spindle, and her hands hold the distaff.

She stretcheth out her hand to the poor; yea, she reacheth forth her hands to the needy.

She openeth her mouth with wisdom; and in her tongue is the law of kindness.

She looketh well to the ways of her household, and eateth not the bread of idleness."

A queen was she in the cabin of the pioneer as she had been a queen in the tents of Israel three thousand years ago; as her daughter is to be a queen encompassed by the love and loyalty and reverence of all men who honor the home as the inner sanctuary of the human soul, its hearthstone as the real foundation of our social order and of our civil liberty, until she herself shall fling away her scepter.

It seems a far cry from the radiator, whose canned heat may sometimes warm but never cheers or inebriates, back to the roaring, leaping hickory fire, lighted by the tinder and flint and steel, whose rioting flames "shooting sparkles out" kindled happy thoughts and bright fancies and fond recollections and new hope in the souls of our toil-worn forefathers. It seems ages past, counting by events and changes, when the puncheon floor was supplanted by the rough-sawn oaken boards and bricks and mortar began to supersede the log walls and riven roofs of the first cabins; when the great rafts of pine from the Wisconsin woods, with their lusty turbulent crews, first vexed the shining surface of our river. An ancient day it was when the hour for evening meetings was fixed at early candle light and the luxuriously-minded opulent lugged their little foot stoves to the place of worship; when the spinning wheel hummed in every dwelling and yoked oxen dragged the plow through every clearing as they had dragged hither over the long and difficult way our "peculiar ship of state", the prairie schooner, with its cargo of reinforcements for the conquest of the land; a dim past wherein men had not yet begun to dream that the earth shaking lightning might be the revealing of a force given to be harnessed and controlled for their common uses.

They were truly primitive times. They were not always hurried in those days. They sometimes had time to think and to think matters of thought out. Books were few, but "famed books", "read, marked and inwardly digested".

The Bible was still regarded as the authentic body of rules for right living, and also searched and studied as the crown, the consummation and the preservative of literature. Even lawyers could cite its proverbs, its parables, its phrases to

illustrate their points and their juries and judges were competent to apprehend them. Law books, too, were few in that golden age, and so the lawyer had to learn to use his mind, to train his mental vision in searching out the intrinsic reasonableness of his proposition, the self-evident truth of his postulate, that, seeing it clearly he might state it plainly, for self-evident truths are not always or often apparent to the cursory or squandering glance. They hold within themselves their own demonstration like the problem in geometry; they shine by their own light like the fixed star, but only the open and attentive mind may receive the mathematical truth, only the practiced and assisted eye may discern the star.

So legal argument was an appeal to reason, a search for fixed principles, not a mere profert of "modern instances" wherewith to ascertain by comparison of their bulk and number what is called the weight of authority, as if there could be ponderable authority apart from reason. Its proper instrument was the telescope rather than the kaleidoscope. It was an employment worthy of a sane mind, conducive to the growth of a strong mind, informing its reason and energizing all its powers. And there were legal giants in that golden age.

The men and women we celebrate and their associates did their thinking on lines straight, practical and fundamental. They kept their feet upon the ground. The flight of the wild pigeon interested them more deeply than the moral or political flights of aviating theorists or feather-brained flutterers. They never discussed the "dignity of labor." It would have seemed as useful and sensible to discuss the convenience or the propriety of vitality, for in their view there is little dignity among men except in labor. The man who did things, who made things, who produced things was the man who had best proved his right to be. With them dignity kept its ancient meaning of worthiness and usefulness was their measure of that worthiness. They held that it is the equal right and equal duty of every man to attain to that degree of usefulness or dignity, that measure of worthiness for which his natural gifts, duly trained and honestly used, may fit him.

It never occurred to their unsophisticated minds that any workingman's dignity might be enhanced by his submission to the order of a walking delegate to lessen the sum of his day's work or to debase its quality. They were concerned in the dignity of the laborer, in his individual independence, in his self mastery. And masters of themselves they became master workmen, master builders, builders of homes, of towns, of institutions and of a State whereof the workman hath no need to be ashamed.

In their minds any conflict between capital and labor was as unnatural and visionary as a conflict between the blade and the ear and the full corn in the ear. The dollar earned yesterday and saved, was capital as respectable as the dollar earned today, with the added mark of respectability that while the dollar earned proved useful industry, the dollar earned and saved proves also foresight and self denial. Of such crude and elemental sort was their political economy.

Busy men and women, compelled by the exigencies of their daily life to be busy, to husband their resources, to gather and not to scatter their physical and moral energies, they gave little time or talk to measures of general uplift and remote reform. With them, Christian civilization like charity began at home. Their consciences were preoccupied with their own shortcomings. Their hands and their heads found enough to do in bringing up their own children, in providing diligently for their own households, in the practice of all the kindly offices of good neighborhood. Mrs. Jellaby, if heard of, was only smiled at and Mrs. Pankhurst was not yet born.

Speaking irenically, not ironically, I am not sure that the pioneer mother's switch was not as far-reaching and beneficent in its influence as the Mother's Club is now. At any rate those boys, whose faculty of discrimination between good and bad had been sharpened, whose sense of duty, whose general moral sense had been awakened to activity under its application, showed themselves a very finished product of home discipline at Donelson and Shiloh and Vicksburg and on the march to the sea.

Again I thank you for permitting me to join in commemorating these worthy lives, these strong characters, these file leaders of a chosen people. I believe in the worship of ancestors, in guarding their foundations with a jealous and an un-sleeping care, in holding fast to the faith and the wisdom of the ages, in treasuring the durable riches of the past, being persuaded that so long and only so long, as this shall be a land of memory shall it remain a land of promise.

HENRY COUNTY DISTRICT COURT.

Mr. Editor:—The District Court for the county of Henry closed its spring term last Saturday evening about 10 o'clock. Considerable business was transacted during the term, of which it is unnecessary to speak. There was one case, however, determined at this term, which (as it will remove and triumphantly refute some objections and erroneous opinions heretofore entertained of the citizens of this territory by a portion of our neighbors) it may be proper to lay before your numerous readers. The action was debt, founded on the fourth section of the act of Congress, approved February 12, 1793, brought by Thomas Flynt, a citizen of Boone county, Missouri, against Reuben Jay, Sr., John Fisher and Reuben Jay, Jr., to recover the sum forfeited by harboring or concealing a runaway negro or fugitive slave. The trial occupied two days. His Honor Chief Justice Mason presided—J. B. & G. W. Teas and J. D. Learned were the counsel for the plaintiff; C. Olney, William H. Starr and H. H. Buckland for the defendants. Late on Saturday evening the jury retired under the instruction of the court, and after a few minutes' consultation returned into court a verdict for the plaintiff.

A LOOKER ON.

Mt. Pleasant, March 23, 1840.

—*Iowa Territorial Gazette and Burlington Advertiser*, Burlington, I. T., March 28, 1840.

W J McGEE, GEOLOGIST, ANTHROPOLOGIST,
HYDROLOGIST.

BY CHARLES KEYES.

With the recent passing of our fellow citizen Iowa mourns for her most distinguished scientist, the Nation loses a renowned personage and public official, and the World laments the extinguishment of one of her rarer species—the philosophical naturalist. W J McGee was almost the last of that famous coterie of American scientific men who especially made noteworthy the closing decades of the last century and to whom the title of naturalist was peculiarly and happily fitted.

In the ever widening circles of modern science and the concomitant ever narrowing vista of nature which the investigator of today in his outlook must face, the removal of one who in name and fame has left the stamp of his genius in more than a single field of knowledge occasions a conspicuous void. When we pass his varied activities in review and eliminate for the moment all else but the salient features in order to more clearly grasp their proper purport and to appreciate more fully their true position in the general scheme, our admiration for his abilities is the more enhanced and our feeling of loss is the keener.

W J McGee was born April 17, 1853, near Farley, in Dubuque county, Iowa. He died in Washington, D. C., September 4, 1912. At the time of his demise he was, therefore, in his sixtieth year. Although during much of his lifetime our Iowan was away from his native State he never lost either his citizenship therein or his keen interest in everything which conduced to her welfare. His parents were James and Martha (Anderson) McGee; the father being a native of Ireland and the mother a Kentuckian.



WJMcL

McGee's youth was spent mainly on a Dubuque County farm. Although his educational opportunities were necessarily quite limited, his inordinate thirst for knowledge enabled him, with some assistance, to acquire a fair grasp of Latin, mathematics, surveying and astronomy. His faculty of mathematical reasoning gave decided color to some of his later philosophical speculations.

The fortunes of his birth not having afforded him either the means or the chance to carry on immediately any chosen line of professional labor that his mathematical inclination dictated, young McGee was obliged to turn his energies for the time in other directions. At the age of twenty he began reading law and for two or three years he practiced in the justice courts. His many-sided mind then turned him towards the manufacturing of agricultural implements, a number of inventions and patents standing to his credit. For several years, but with constantly diminishing interest, he followed this vocation.

In the meanwhile McGee became deeply interested in the subjects of geology and archeology; and he was soon out in the fields and valleys delving into the secrets of the rocks. During four years he devoted the greater part of his time to the study of the geologic features of the northeastern portion of Iowa, the final results of which appeared a decade later in a sumptuous monograph¹ published by the Federal government. These were fruitful years for McGee and the effects of their influence are apparent in all his subsequent writings. During the latter part of this period his first important papers were published in the scientific journals.

In 1881 came the opportunity for wider application of his recently acquired knowledge on the geological characteristics of his native State. Through the influence of the late Senator Allison, whose home was in Dubuque, McGee was appointed agent of the United States Census Bureau, with a commission to work up the Iowa building stones. Into this work he entered with zest and in the spring and summer of the year mentioned accomplished a prodigious amount of investigation.

¹11th Annual Report U. S. G. Survey, 1889-90.

Thus he was enabled to extend his geologic studies over every county of the State. The direct results of this extended inquiry are contained in a large, lucid and very creditable report² published by the Government.

It was at this time that I first came in contact with McGee. This was the beginning of a long, close and happy friendship which was only interrupted recently by the hand of death. I well recall that initial meeting. It was in the Devil's gap, a wild, dark spot north of Des Moines. He and Prof. R. Ellsworth Call, who was at that time residing in the capital city, had been tramping all day over the surrounding country studying the loess and the glacial drift sections, and had finally come up to an unusually fine and extensive exposure which had been recently opened up in a road-cutting. There they found Uly Grant³ and me busily extracting molluscan shells from the loams. We had already collected a large quantity of exceptionally fine specimens over which both geologists at once went into ecstasies. At that time Grant and I were kiddies preparing for college; and among other things we had been devoting a good deal of extra time to Greek and Latin. We were also mightily interested in natural history and had been putting the dead languages to great practical use. Through the aid of Professor Call we had learned to know all the loess fossils and to call them familiarly by their long scientific names. When the two school boys began innocently to rattle off glibly all the numerous Latin titles of the shells, McGee was visibly affected for he had just finished relating to us something of his own prowess in the ancient languages, but, as we afterwards discovered, he did not know the name of a single shell. A score of years after, at a geological gathering, he told, with some embellishments of course, the story of that meeting and how it had greatly disconcerted him and for the time being deeply wounded his pride.

²U. S. 10th Census, v. 10, p. 256.

³Dr. Ulysses Sherman Grant, now one of the most distinguished scientists of this country, at the present time occupies the chair of geology in Northwestern University. He was a Des Moines boy.

The work on the Tenth Census led to the calling of McGee to Washington and to his attachment to the corps of the United States Geological Survey. For a period of ten years he held this post, most of the time as chief of one of the important divisions of the Survey. It was the first of many responsible commissions which he held in the service of the Government.

McGee's first geological work for the Government was in the deserts of Nevada. After assuming charge of the Potomac Division of the Survey his efforts were largely confined to the Atlantic border. In spite of a mountain of administrative routine, the volume of which rapidly grew as the years went by, McGee was able to find time to visit many parts of the national domain, besides superintending the work of others in these fields. Although somewhat technical in statement the following appear to be the principal scientific achievements of our Iowan during this remarkably productive decade: The demonstration of the glacial origin of the loess in northeastern Iowa; the elucidation of certain principles of glacial action; the discrimination and classification of a wide variety of topographic forms resulting both from ice-action and water-action; the development of the "law of land profiles," the law of varigradation," and the "law of foothills;" reconnaissance mapping of northeastern Iowa; reconnaissance of southeastern United States; compilation of a general geologic map of the United States; discrimination and description of three great geologic formations of wide extent and great significance in the history of the continent; the elucidation of a considerable part of the Neozoic continental history of southeastern United States; the development of a method of geologic correlation, entitled homogeny, whereby more definite results are thought to be obtainable than in any other way; substantial contributions to the science of physiography; the approximate determination of the extent and limitations of the theory of isostasy; contributions to knowledge of general deformation of the terrestrial crust; a study of the origin and distribution of natural gas and rock-oil; the formulation of the principles of evidence

concerning the antiquity of man, and the proposal of a scheme of genetic taxonomy of geological phenomena.

When the subject of our sketch laid down the responsibilities of his position on the Geological Survey to go with Major Powell as chief in charge of the Bureau of American Ethnology, he merely took up vigorously another line of scientific research in which he earlier had been deeply interested, and which he had sporadically followed from time to time in spite of pressing geological duties. During the period of ten years in which he served in this capacity his contributions to anthropology and especially to the knowledge of the American Indians were of lasting importance.

McGee's greatest work in the field of ethnology was on the little known Seri Indians of Tiburon island,⁴ in the Gulf of California, which was also one of his first official investigations. Soon, however, owing to the failing health of his superior, the administrative duties rapidly became more and more burdensome, so that he found little time to devote to field studies. During the last two or three years of his connection with the Ethnological Bureau he was completely occupied in the supervision of the work of others.

When the World's Fair at St. Louis was established, in 1903, to commemorate the Louisiana Purchase, Doctor McGee was appointed Chief of the Department of Anthropology. As in all he undertook he at once brought into play his tremendous stores of energy. The huge and varied assemblages of the peoples of the earth that he brought together amply attest the unprecedented success of his efforts. At the close of the exposition St. Louis chose him to organize the vast, new Public Museum, a labor involving extraordinary endurance, foresight and planning, since the nucleus of this great undertaking consisted of the exhibits acquired from the Fair. As it were, a Noachian flood of materials required immediate attention and installment. The usual work of many years had to be accomplished in a few weeks and months. McGee rose to the occasion.

⁴17th Report Bureau of Ethnology, 1896, pt. I, p. 1-344.

The great and novel achievement of a vast public museum in a large city created in a day instead of developed through a century, being accomplished satisfactorily, the director resigned his arduous post to accept one scarcely less arduous. He was appointed by President Roosevelt as a member of the Inland Waters Commission. The work of this organization and that of the Hydrographic Division of the Agricultural Department at Washington occupied the undivided attention of McGee until a short time before his demise.

In 1888 McGee was united in marriage to Miss Anita Newcomb, daughter of Professor Simon Newcomb, the astronomer. Mrs. McGee is a mathematician of more than national reputation and a physician in Washington. The honeymoon was a novelty, being converted into a geological exploration. Starting in Florida in early summer the pair traversed Georgia, Alabama, Mississippi, Tennessee, Kentucky and Illinois, reaching Iowa three months later. The entire trip was made on horseback, tracing the Columbia and Lafayette terranes.

Doctor McGee was a voluminous and interesting writer. Besides his more comprehensive works, which comprise a dozen or more large volumes, he was the author of upwards of three hundred shorter memoirs and articles. Of his larger efforts special mention should be made of the Pleistocene History of Northeastern Iowa, the Geology of Chesapeake Bay, the Lafayette Formation, Potable Waters of Eastern United States, Siouan Indians, Seri Indians and Outlines of Hydrology.

The wide scope of McGee's intellect, the keenness of his perception and the accuracy of his reasoning can only be appreciated by direct reference to the long list of his publications. He wrote in charming style and his descriptions of some of the grander phenomena of geology often displayed a highly artistic use of language.

Time and suffering did not diminish this scientist's activity. He was vigorous to the end. He died of cancer of the stomach. A few days before his death he dictated one of the most graphic and detailed descriptions of the symptoms of the

dreadful malady that has ever appeared in the English language. It was printed in *Science* shortly after his passing away.⁵ His heroic nature was well displayed in a letter which he wrote me a month before his demise. After fully discussing certain geologic problems in which he had been long interested he mentioned briefly his illness. He grimly closed with the remark: "I am now on my back, which looks well for the disease and bad for the man."

Doctor McGee was a prominent member of many of the learned societies. Among other honors bestowed upon him at different times were the following: United States Commissioner of the American International Commission of Archeology; Chairman of the organizing committee for the International Geographical Congress; Senior speaker for the Department of Anthropology at the World's Congress of Arts and Sciences; Secretary of the Conference of Governors at the White House; leading founder of the Columbian Historical Society; President of the American Anthropological Association; President of the Washington Anthropological Society; Acting President of the American Association for the Advancement of Science; President of the National Geographical Society, and Secretary and Vice President of the Archeological Institute of America. Cornell College in 1901 conferred upon him the honorary degree of LL. D.

In later life Doctor McGee presented a very distinguished, almost picturesque, appearance. In conversation he was fascinating because of his ever keen interest in the subjects under discussion. He was a past master in lecturing and especially in delivering in abstract the substance of technical papers. Grace, directness and lucidity marked these occasions. Stalwart, versatile, tireless, brave and gentle to the last was our departed friend. As Doctor Hovey, the eminent secretary of the Geological Society of America, wrote me a few days after the demise: "Doctor McGee was a man of tremendous energy, wide reading and observation, clear thinking and good writing, so that he will be greatly missed from the ranks of geologists."

⁵*Science*, v. 36, September 13, 1912.

To one familiar with the ground covered by McGee's recorded work, it is quite manifest that he was not only a brilliant thinker, but also an original reasoner. His various speculations on glacial geology, on homogenic correlation of geologic terranes, and on the origin of desert plains were no doubt founded on a large amount of original research in the field and on the skilful use of the results of others. Yet a careful review of his incessant efforts shows that they were of the old reconnaissant type such as characterized his earlier investigations in northeastern Iowa. There is a clear lack of detailed and critical inquiry which is so essential in the formulation of hypotheses and in the rigid testing of them step by step. By this deficiency he was severely limited, and his later work was partly circumscribed by the conceptions and methods of his early results. This tendency is well illustrated in his glacial labors and in his observations on the development of desert landscapes. Ten years before any suggestion was even made he had discovered and published all the facts which supported the tenet of the complexity of the glacial period. He was the first to offer a plausible explanation for the existence of the remarkable rock-floors of the arid plains, but he ascribed the phenomenon to flood-sheet erosion when the erosive effects by water were almost nil. In both cases he misinterpreted the testimony presented and thus he came within a hair's breadth of making two of the half dozen great geologic discoveries of the nineteenth century. On the whole, and especially on the suggestive side of American geology, McGee's scientific work will rank high.

We stop the press to announce a difficulty between the Sacs and Winebagoes. It appears that the Foxes and Winebagoes had agreed to hunt on the same ground during the fall and winter, some 50 or 60 miles west of DuBuque, on the heads of the Waubesequinacon river. Two or three days after, a party of Sacs, headed by Pashapahoo, or Stabbing Chief, attacked the Winebagoes and killed 40 or 50. Two of the Sacs were killed.

—*Iowa Sun*, Davenport, November 13, 1839.

A BEAUTIFUL LIFE—A BIOGRAPHICAL SKETCH.

BY ANNA HOWELL CLARKSON.

In the passing of Mrs. Druscilla Allen Stoddard, June 1, 1913, a most interesting life came to a peaceful close. To the generation which is now in mature years, Mrs. Stoddard was known as an educator of unusual merit and distinction and as a woman of extraordinary intelligence. Iowa has never known a more forceful or more remarkable character. Her type of womanhood has gone the way of much that is unique and past the point of reproduction.

Mrs. Stoddard had her origin in the days of plain living and high thinking, in a time when a belief was a settled conviction, when men and women would die at the stake for principle and count themselves favored in having the privilege. She belonged to the hour of the Emma Willard, Lucretia Mott and Francis Gage influence, and in the time of Harriet Beecher Stowe, Marianne Dascombe and Caroline Severance—periods full of dignity and sublimity which left their mark upon those whose characters were formed in that early day.

Mrs. Stoddard was born near Batavia, New York, on June 18, 1821. Isaac Allen, her father, was of English descent, his family having come to America several generations before the Revolutionary war. The Allens who lived in that time were patriots and fought well for their adopted country. Lydia Bartlett, her mother, was also English and of the Quaker faith; her mother, in turn was a Harper, and Scotch-Irish. Lydia's grandfather, Captain George Harper, and his seven sons served all through the War of the Revolution. Mrs. Stoddard's father was a Presbyterian, but was won over to the Quaker doctrinal views by his earnest and devout wife, Lydia. The broad, liberal standards of that organization recognized woman as a power and she was considered the equal of man in all points of right and privilege. It followed that the girls in Quaker



*Yours Affectionately
D. C. Stoddard,*

families were given unusual advantages. Mrs. Stoddard early began an educational course which never ended. It was not possible to satisfy her desire for knowledge. The lapse of years did not dim her outlook into the unknown and the unseen. To the hour of her demise she drew in great draughts of wisdom from every available source.

The Allens were people of culture and believed in higher education for women as well as for men. The young Druscilla was sent to a Quaker boarding school at the age of fifteen; at seventeen she began her career of teaching in another Quaker school as an assistant to an intelligent woman who exercised a strong uplifting influence over her life.

Later, she entered the seminary in Troy, New York, which was founded by Mrs. Emma Willard in 1821, and completed a full course of study under this gifted pioneer instructor who opened the way for the young women of America. She was graduated in 1845, and at once entered upon the work of teaching in the mission school which had been established by the Quakers for the Seneca Indians in the Cattaraugus Reservation. She was most successful in this undertaking, but gave up the work in 1847 to marry Dr. Ira Joy Stoddard. Dr. Stoddard was a graduate of Colgate University, in Hamilton, New York, 1845, and is now its oldest living graduate. They started at once for India, where Dr. Stoddard had been assigned as a Baptist missionary to the Nowgong District in Assam. The long journey to Calcutta was their wedding trip. They feasted on salt provisions, hard tack and sea biscuits during this notable honeymoon.

When they reached Calcutta the monthly steamer which carried passengers up the Hoogly river had the day before departed, so they were obliged to wait in Calcutta for the next trip. The weather was hot and cholera was raging in the city; every one who could leave had fled to the highlands. Without fear this young couple braved the conditions and improved the hours of waiting in seeing the wonders of that interesting region. Every library, museum, garden and spot of interest claimed their attention. The Government mission schools, which were established by the Free Church of

Scotland and managed by that prince of missionaries, Dr. Duff, appealed especially to Mrs. Stoddard. There she found a thousand native boys studying in the English language all branches of educational work. The Museum of the Asiatic Society was another source of pleasure and information. She visited Serampore, sixteen miles from Calcutta, where the missionaries had planted their standard before the East India Company allowed them in their territory. This spot was owned by the Danes. Nothing escaped this zealous seeker for instruction which would help her in her intercourse with the natives. She knew nothing of the strange language and the numerous dialects of the country, but before the month rolled around she had made a start in the study of the Assamese tongue, and supplied herself with the necessary books of instruction. She became very proficient in a short time and was able to translate for others who were not so clever.

The journey to Nowgong involved a further trip of nearly four weeks by land and water. After nearly seven months of travel and delay they were installed in the mission and teaching in the large orphan school which was within their jurisdiction. While Dr. Stoddard preached and taught, Mrs. Stoddard supervised the girls of the school, personally attending to their studies, food and clothing, nursed the ailing, and taught all the time as well. Intuitively she learned to heal the sick. Necessity, as well as being the mother of invention, is the mistress of all trades and secrets. She set her house in order (and her "order" was as exact as the planetary system), and trained the queer little brown men and women to do her bidding.

It was fortunate for workers in the mission that it was near some English gentle-folk. These families kept them supplied with the latest periodicals and books as they came from the mother-country—a valued boon, as Baptist missionaries had no money to spend on luxuries.

For nine years the development of the mission went on successfully. At the end of that time Dr. Stoddard was prostrated with continuous fevers incident to the country and was ordered back to America. Mrs. Stoddard had passed safely

through the ordeal of acclimatization soon after her arrival and was in perfect health, although her hearing had been impaired by the successive fevers and the use of remedial drugs. Three children had been added to the family, Bertha, Ella, and Ira Joy, Jr., all of whom are now living.

With great sorrow the edict to leave the mission was received and plans made for the homeward journey. Upon reaching this country, a high dry climate was sought, and Iowa was decided upon. The delightfully unique town of Pella held an inducement as it was the seat of a Baptist College, the Iowa Central University. This school had been founded in 1853, and was at this time about to occupy its permanent college building. Mrs. Stoddard was invited to take charge of the Woman's department, and as its principal she began her work in 1858, in which year Dr. Elihu Gunn was elected president. Dr. Emmanuel Scarff was the Director of the Academic department, with professors Caleb Caldwell, Carleton C. Cory and Julia Tollman as assistants. Dr. Amos N. Currier, who later was for many years a member of the faculty of the State University of Iowa, was the professor of Greek and Latin. It would be difficult to compile a sketch of the life of any one of these faithful supports of the young college without including them all, as their interests were identical and their lives ran in the same grooves.

Here, in this co-educational institution, indoctrinated with the Baptist faith, Mrs. Stoddard began a new era of usefulness. Her success was immediate. An extraordinary talent for teaching and controlling, combined with her rare enthusiasm brought rich results. The fame which she had earned as an instructor and organizer in the far East had preceded her and attracted the attention of the Baptists of the State who had sons and daughters to educate, to the advantages of the Pella school. Parents came from near and far to consult her about their young people, and after seeing this model teacher and learning of her methods, many sacrifices were made in order that her influence might be exercised over their children. She became a mother to the whole school and taught a large share of the classes which contained both young men and women.

The necessity for earnest work in securing students for the institution became apparent. The country was new, money was scarce, with strong wild-cat tendencies, no one had a penny to use foolishly, and while it seemed the fair thing to give a boy as good an education as possible, it did not seem so necessary to the average parent for the daughters of the family to have a course in college. The young women themselves had not put in a plea for equal advantages, and the hard-worked fathers and mothers had not yet realized that they had any right to them. Every man was a pioneer and every woman was a partner in all of his hardships and sacrifices. On the farms the daughters worked side by side with the sons in the busy seasons. A few who lived in the towns and villages had plenty and to spare, but there was no waste and no luxury in the small western communities.

Mrs. Stoddard realized the conditions and bent her energies to meet them. Her big heart yearned over the girls in the scanty homes; she knew the value of a liberal education to a young woman and the part it would play in each one's life, and she was determined that every girl within her influence should have as large a share of knowledge as she could possibly gain for her. A conference was held. The school expenses were cut down to the lowest rate. The homes in Pella were canvassed to see how reasonably the students could obtain board. No one in that early day dared to charge more than seventy-five cents or a dollar a week for good, wholesome food and a corner in a comfortable room; oft-times the latter was shared with half a dozen other students or members of the family. Rooms were searched for near and far, where students might board themselves and cook their own supplies brought from the farm. Mrs. Stoddard's "plain living and high thinking" philosophy imparted itself to the youth under her care, and no one murmured over any stress or privation. Many men and women of importance in Iowa today owe more than they can express to this noble woman who made the fight for them in the "fifties" and "sixties", which resulted in their obtaining a college education. Their children and their grandchildren are trained to love and reverence this wise friend who

saw into their future as a true guardian of the rights of the young.

All through the long summers Dr. Scarff and Dr. and Mrs. Stoddard campaigned the country districts for students, telling the parents of the minimized expense. It was not long before the college halls were well filled. Nearly four hundred students were in attendance in 1861. When Fort Sumter fell, in April of that year, the first class was about to be graduated. The sad boom of the Nation's guns rolled out over the Iowa prairies and the big college bell tolled, calling for volunteers. The school was depopulated. Every man and every boy who was old enough to carry a gun enlisted, Dr. Currier marching out with the younger men. Dr. Scarff and Mrs. Stoddard were all that remained of the faculty. A few primary pupils and a half dozen or so of matriculating girls from Pella and the neighboring towns comprised the student body. If Mrs. Stoddard was wonderful and capable before, she was now possessed of an added glory. Her great eyes shone with a new light; every hour gave her fresh courage. *The school must live*,—she would put her whole life into it.

The two consecrated and devoted officials kept the college alive, not closing for a day or missing a recitation. The hearts of those who remember this devotion will swell with pride and emotion as they read the foregoing lines. Many of the young pupils who made up the college roll were needed at home, or the small amount of money paid for their board could not be raised. Not one of them could be spared. It was lonesome enough as it was. Those who could not afford to stay were given homes here and there. Dr. Scarff took all that his house would hold and Mrs. Stoddard filled her long, low rooms to overflowing. Trustees, doctors, and deacons housed a number, and the day was saved; the little remnant was kept together. This involved the closest economy in the homes of the two teachers. It all seemed as a matter of course at the time but larger experience shows this unselfishness in its true light. There was no repining or quailing; the Scarffs and the Stoddards were as cheerful and optimistic as if the affairs of the Nation and the almost as important college were at high tide.

Mrs. Stoddard was essentially a moulder of character; she instilled in every pupil a highminded view of life; her influence was elevating and ennobling in the greatest degree. She was an uncompromising purist in mind and manner. Her speech was lofty in tone, free from mannerism and prevalent jargon. Her fashion of dealing with her pupils and fixing their interest was most unique. There was no dozing in her class-room; her mental ray reached all minds however stupid. Finding out what each student could best accomplish, she developed their thought along indicated lines. She inspired an uncontrollable desire to know all of the secrets in nature's laboratory.

While she was filling the lives and minds of others with interest and inspiration, what can be said of the fragrance which did or did not come into the life of this noble and unselfish woman?

It is the way of humankind to assume that in whatever position one is found, there is where he or she belongs. A larger view changes our thought. Without a knowledge of a world whose fields are rich with the allurements of science, art, and philosophy, we realize nothing of the temptations which they possess for those used to loitering in their boundaries. We can know nothing of the heart hunger for the pabulum which to them is meat and drink, even life itself, nor of the lure of close contact with superior minds and cultivated tastes, (once felt, always longed for,) unless we have felt their compelling power.

Mrs. Stoddard was reared in an atmosphere of literary opportunity, her tastes were scientific, her habit studious and exploring. While she was retiring and somewhat diffident, she had the elements of leadership, commanding attention whenever she spoke or appeared in public. An argument was her delight and her points were always discussed in a clear and analytical manner. Who would dream it—she loved luxury as a child loves sunlight, and reveled in the beautiful in art and nature with rapt appreciation.

Every nature has two sides—one which is turned toward the sun, the other resting in shade, only coming into sight when

the light is strong. It takes courage to turn one's back on the sunny side of life, the one which is alluring and satisfying, and to confine the walk to the strict path of duty as it presents itself. We learn to love the way of duty, for it means discipline, and in the end, victory. None who walks therein would retrace his steps. Mrs. Stoddard sacrificed her natural longings to the enthusiastic love of the youth under her guidance, smothered the cry within her breast for more light, and kept bravely on.

With the close of the Civil war prosperity again visited the Central University, and the old-time interest revived. Twenty-five of the "Soldier Boys" had passed beyond the call of their class-mates, but many returned to finish their interrupted courses.

Dr. Stoddard, who had found health in Iowa, had been for some time the financial agent of the college, but his heart was longing for the work with the natives in India. At his earnest solicitation he received another assignment. This was a hard dispensation for the community and almost more than the students could bear. Who would or could take the place of Mrs. Stoddard? None would attempt it. During the war there was not enough money coming into the college fund to pay expenses. Dr. Stoddard did not want to go away leaving the college in debt. When Professor Currier returned, in 1865, he found the institution sadly in arrears. Dr. Scarff tells how it was cleared from all incumbrance:

We were completely swamped. Stoddard, Currier and myself, and of course Mrs. Stoddard, formed a plan to raise the indebtedness, provided the Board would let us take the matter into our own hands. They consented and we went to work. At the Board meeting in 1866, we had the pleasure of showing that the college debt was entirely wiped out. Dr. Stoddard was our agent and canvassed the State, traveling five thousand miles in his buggy. Professor Currier was our secretary and treasurer. Without a 'Currier,' we would have failed. He was our right hand man.

All of these philanthropists worked for *almost nothing* and gave *about all* of it back to the college. They accomplished what seemed impossible. Mrs. Stoddard was always a part of

the executive meetings. She had a fine business sense, was fertile in plans and able to give specifications. The cashier of the Pella National Bank, Mr. Henry P. Scholte, writes of her financial ability: "You need make no apologies about your intelligence in business or financial matters. I have never done business with any lady who comprehended financial affairs so intelligently."

With the college once more on the highway of prosperity, Dr. Stoddard felt that he could be spared. His mission was established in the southwest part of Assam, among the Garos, an absolutely savage tribe which had never been visited by white men. The tribe proper lived in the hills and were unapproachable; they were not subject to British rule. The less savage Garos who lived in the foot hills were on British territory, and in a measurably safe region, and here the mission was founded.

In the first five years over five hundred Garos were evangelized and baptized. In 1899, twenty-eight years later, the Church had gathered into its fold over five thousand. Many organizations were formed and many chapels and school houses dotted the hillsides.

Mrs. Stoddard stayed with the Garo Mission three years, when she became a victim to the lowland fevers and returned to Iowa, leaving Dr. Stoddard in India, where he remained four years. As soon as Mrs. Stoddard regained her health she resumed her work in the college, and continued until advancing years and her infirmity of deafness made attendance in the class-room impossible. But she did not for one moment fail in her interest; her home was the rendezvous of the students, just as usual, and she really deserved a good salary as an "Advisory committee on the whole."

For the third time, in 1881, this devoted couple went to New York, determined to return to their mission in India. The Examining Board decided against them and they were obliged to give up all thought of finishing their days in the work which seemed to them the most glorious of all effort, teaching the untaught and benighted.

Again Pella, a veritable retreat for rest, became their home. Beloved and honored by all, it seemed a fitting place for them

to tarry in their sunset days. If Pella had possessed a large public library, a few museums, and an advanced lecture course, Mrs. Stoddard might have been content there to end her life. But her sands were not run out and she must know what the busy world was doing, and be near the storm center.

After the founding of the State Historical Library, Mrs. Stoddard made many trips to Des Moines to spend the day in research, in the valuable store of documents and fascinating books. Mr. Charles Aldrich always welcomed her with pleasure, for he knew that his monumental work in gathering all this interesting State data was thoroughly appreciated by this educated and discriminating visitor. An observer might frequently see Mrs. Stoddard boarding an early train at the station in Pella, bound for a long day in the Historical building. At ten o'clock at night she might again be seen alighting at the same station, tired but happy, and feeling well repaid for her three hours of travel.

In 1904 she and Dr. Stoddard removed to Plainfield, New Jersey, to be with their daughter, Mrs. Henry Whitney, and her family. She found great pleasure in being so near New York City, with its multitudinous advantages, libraries, parks and museums, and journeyed frequently to the great city to absorb its many delights and wonders.

The Emma Willard Association (New York City) of which she was a member brought her many happy days. At the meetings she sometimes met comrades of her own time in the seminary. The writer had the privilege many times of attending the business meetings and annual banquets with Mrs. Stoddard. On the last gala occasion, November, 1912, in company with Mrs. Stoddard, and her grand-daughter, Mrs. Lewis Ryan, a delightful afternoon was spent. Mrs. Stoddard was announced as the oldest graduate of the Emma Willard Seminary present, and a call was made for a speech. Without a moment's hesitation, she arose, made a quaint courtesy and said, "Thank you, girls," and sat down. It was done so daintily that every one cheered.

In 1911 Mrs. Stoddard was seized with "wanderlust," and made a trip to California to visit her daughter, Mrs. Thomas Ryan, travelling entirely alone. She was then ninety years of age, in perfect health and mental vigor.

Her visit was a triumphal progress. Many students of "Central" and old friends from Iowa were scattered up and down the coast. They vied with each other in showing her attention. She returned full of spirited and happy reminiscence. She visited Pella during Commencement week on her return trip, and met many of the college friends and old-time students. Her enjoyment of life was keen because she kept pace with the times and was never behind the movements of the world. Deeply religious on a broad plane, her interest was unflagging in the affairs of the Church. An exponent of good government, she was posted on political lore. She feasted on the advancing views of the hour, and read everything that was worth reading on various subjects. Time did not hang heavy on her hands; she found so much to do.

For the last few winters, Dr. and Mrs. Stoddard lived in Germantown, Pennsylvania, during the severe weather in the comfortable Nugent Home. It was there that the last summons came, after an illness of only two days. A week before her death she returned from a visit to her grandson, Captain Ryan, and his family, in Fort DuPont, Delaware. A slight cold was troubling her which gradually increased in severity. Unwillingly she kept her bed on Saturday. On Sunday evening, with a wave of her hand, and a calm "Goodnight," on her lips, her spirit passed into the other life which is eternal.

The remains of our dearly-loved friend lie in a quiet spot in the college town of Pella. As was her way, everything was prepared for this home-coming. Two of her children were present at the memorial services in the church and the college chapel. Many from various parts of the State assembled to do her honor, and spoke from full hearts words of appreciation and affection.

Dr. and Mrs. Stoddard dwelt together sixty-five happy, harmonious years without a note of discord. What a lesson in

this moving feast of matrimony of today! They were not at all similar in character but their temperaments proved to be complementary equations, governed by a great deal of common sense, bearing and forbearing. Dr. Stoddard survives his loving mate; he is ninety-three years of age, in delicate health, and deeply stricken by the loss he has sustained. His is a lovely character; he is always carrying a mantle of charity to throw over an erring friend. May all of the good which he has so freely bestowed return to him now a thousand fold.

Dr. and Mrs. Stoddard were always devoted and true to their friends, and they had no enemies.

We cannot call the out-going of Mrs. Stoddard "death," it is the moving on of generations; one passeth away and another generation cometh, but the Earth abideth forever.

\$200 REWARD.

Ran away or were stolen from the subscriber from a house near Salem, in Henry county, Iowa Territory, on Thursday night the 11 inst., two negro men, whose names are Winston and Henry but they having been runaways since the 11th of August last, have called themselves Jack and Bill. They had found their way into the new purchase of Iowa, and the subscriber found them there, and was returning with them home to Missouri stopped to stay at a house, from which they escaped or were stolen.

Winston is 26 or 27 years of age, is black, 5 ft. 8 or 9 inches high, wore away a sealskin cap, blue jeans coat with the skirts cut off, and dark casinet pantaloons. Henry is a yellow boy, 18 or 19 years old, 5 ft. 5 or 6 inches high, wore a blue cotton frock coat, gingham roundabout, new fur hat and buckskin pantaloons. I will pay the above reward to any person who may bring them to me in Boon County, Missouri, or \$100 for either of them; or \$100 for securing them or giving me such information as may enable me to get them. It is supposed that said runaways will be assisted to escape by some particular white men.

THOMAS FLYNT.

—*Iowa Teritorial Gazette and Burlington Advertiser*,
Burlington I T., April 6, 1839.

THE CASE OF ARCHIE P. WEBB, A FREE NEGRO.

BY NATHAN E. COFFIN.

In Polk County litigation one of the judicial reviews that was of keenest local interest, and under a different combination of circumstances might have been as famous as the Dred Scott case, is that entitled "Archie P. Webb vs. I. W. Griffith." The judge, John Henry Gray, was born in Prince George's County, Maryland, October 16, 1831, and was only thirty-one years of age when he rendered this opinion. His ancestors came to that state with Lord Baltimore, and were prominent in building up some of the towns on the Potomac and Patuxent Rivers, among which were Benedict and Leonard Town.

Having passed through the common school with much credit to himself, he entered Allegheny College, Meadville, Pennsylvania, where he graduated with honors in 1853. Subsequently he studied law and was admitted to practice in Newark, Ohio. In a few months he went to Fort Wayne, Indiana, where, in May, 1855, he was married to Miss Maria Freeman, a native of Massachusetts, who was at that time Preceptress in Fort Wayne Male and Female College. Miss Freeman graduated at the Wesleyan Seminary, Wilbraham, Massachusetts, and came West as a teacher in 1852, under the auspices of the National Board of Popular Education. Immediately after their marriage Mr. Gray and his wife started for Des Moines, Iowa.

In the fall of 1856, Mr. Gray was elected Prosecuting Attorney of Polk County, which place he filled until he was elected Judge of the Fifth Judicial District in 1858. Having served the people faithfully during one term, he was re-elected in 1862 by a large majority, and, though in failing health, continued his official work until a few days before his death, which occurred on October 14, 1865, at his home in Des Moines.

Archie P. Webb, while employed as a laborer in Delaware township, Polk County, and quietly earning his livelihood, was notified by a gang of persecutors to leave the State. This he refused to do. By order of the Justice of the Peace he was arrested, fined, and sent to jail. He was forthwith released by a writ of *habeas corpus*, issued by Judge Gray, and when the case was brought before him, the Judge gave it a patient hearing, and with a full appreciation of its importance, bestowed upon it thoughtful attention.

Chapter 32, Acts of the Third General Assembly, which was the basis of the suit, is as follows:

AN ACT to prohibit the immigration of free negroes into this State:

Section 1. *Be it enacted by the General Assembly of the State of Iowa*, That from and after the passage of this act, no free negro or mulatto, shall be permitted to settle in this State.

Sec. 2. It shall be the duty of all township and county officers, to notify all free negroes who may immigrate to this State, to leave the same within three days from the time of notice, and upon their failure to do so, it shall be the duty of the constable of the proper township, sheriff of the county, marshal or other police officer of the town, to arrest such free negro, and take him or her before a justice of the peace or county judge, and it shall be the duty of such justice or judge to fine such free negro, the sum of two dollars, for each day he may remain in the State after such notice, and costs of such prosecution; and to commit such free negro to the jail of the county or the nearest one thereto, until such fine and costs are paid, or until he will consent to leave the state; *Provided*, it shall be ascertained that he or she is unable to pay such fine or costs.

Sec. 3. That all free negroes now living in this State, who have complied with the laws now in force, shall be permitted to remain here, and enjoy such property as they may now possess, or may hereafter acquire.

Sec. 4. On the trial of any free negro under this act, the justice or judge shall determine from, and irrespective of his person, whether the person on trial comes under the denomination of free negro or mulatto.

Sec. 5. This act to take effect, and be in force, by publication in the Iowa True Democrat, a weekly newspaper published in Mount Pleasant.

Approved February 5th, 1851.

The petition for the writ of habeas corpus filed January 20, 1863, in Polk county, alleged that the defendant was sheriff of Polk County, Iowa; that plaintiff, Archie P. Webb, was imprisoned in the Polk County jail and that according to his best information and belief he was so restrained under a pretended order issued by Stephen Harvey, a justice of the peace in Delaware Township, Polk County, Iowa, and that said order purported to be issued by virtue of proceedings against plaintiff as a free negro living in the State of Iowa after notice to leave; that said restraint was illegal because plaintiff was not arrested on any warrant for the commission of any crime and was allowed no trial by jury and did not waive a trial by jury; that he was tried for no crime or offense against the laws of Iowa or the United States and was confronted with no witnesses and was ordered imprisoned without proof or trial and fined in the sum of Twelve Dollars and costs and in default of payment was ordered imprisoned as aforesaid; and that these illegal proceedings were had on the 20th day of January, A. D. 1863. Plaintiff further alleged that he was informed and believed that the proceedings were void and of no effect and that the pretended law under which the proceedings were had, was never in force and was unconstitutional and void. Wherefore he asked that a writ of habeas corpus issue in order that he might be discharged from imprisonment. The petition is sworn to and the affidavit is signed by Webb in a clear and legible hand. Stephen Sibley appeared as attorney for plaintiff.

Six days later, Webb filed an amendment to his original petition in which amendment he sets out a copy of the order of the writ issued by Justice Harvey to the sheriff of Polk County, Iowa, commanding the sheriff to receive Webb into custody and detain him in the Polk County jail until legally discharged because of his default to answer to the fine of Twelve Dollars and costs amounting to \$2.90. In this amendment, Webb further alleges that his restraint is illegal in that he was arrested upon no warrant, nor in the act of committing any crime and that no information was filed before said justice of any character whatever; and that he was accused before said justice

of no crime whatever; and that he was ordered imprisoned without any trial whatever; and without the production of a single witness against him; and was imprisoned without due process of law and without a trial by jury and without the benefit of any counsellor at law; and further alleges that he is informed and believes that said pretended trial and proceedings were under and by virtue of a pretended law that the State of Iowa passed February 5, 1851, to prohibit the immigration of free negroes into this State, which he avers is not a valid, constitutional or existing law in this State. Wherefore he asks to be granted his liberty.

Upon the filing of the petition, Judge J. H. Gray issued an order directed to I. W. Griffith, Sheriff of Polk County, Iowa, commanding him to have the body of Archie P. Webb before the court at 9:00 A. M. of the 21st day of January, A. D. 1863. The sheriff appeared in person and by his attorney J. S. Polk and stated that he now had the body of the said Archie P. Webb before his honor J. H. Gray, Judge, and was detaining him under and by virtue of a writ issued by S. Harvey, Justice of the Peace. Sheriff Griffith also filed an answer, setting up a copy of said writ. The cause appears to have been tried before Judge Gray, and the court upon due consideration ordered the defendant released on the 2d day of February, 1863.

Webb also appears to have appealed to the district court from the fine, in January, 1863, but this appeal was probably dropped. Both parties filed bills of exceptions in the Habeas Corpus case so as to have the record in shape for an appeal.

It is shown in the plaintiff's bill of exceptions that the plaintiff introduced one James Wright, a witness who testified that he was Secretary of State for the State of Iowa and had searched his office for any certificate of publication of the laws passed by the Third General Assembly of the State, exclusive of the code, as well as for any certificate for the distribution of said laws and also for any certificate of the publication in the *True Democrat* newspaper of an act entitled "An act to prohibit the immigration of Free Negroes to the State," and no certificate of any of the above mentioned facts could be found in his office. And plaintiff's attorney also introduced

the pamphlet edition of the said session laws wherein there is no certificate of publication of said act in said *True Democrat*, nor is there printed nor appended to said volume any certificate of publication or the distribution of said law. As these matters were not included in the bill of exceptions filed by the defendant Griffith, the judge made them also a part of the record, upon request of plaintiff.

The defendant's bill of exceptions merely recited that the only evidence offered and read to the court was the plaintiff's admissions that he was born a slave in the state of Mississippi but was a free negro and immigrated to the State of Iowa from the State of Arkansas since 1861 and that he had taken an appeal from the justice court to the district court in the case in which the fine was levied; and that the mittimus under which he was imprisoned was in due form of law.

The defendant through his attorneys, Casady & Polk, served notice of appeal to the Supreme Court of Iowa, but the case was evidently never docketed in the Supreme Court, as it does not appear in list of decided cases as found in McClain's Iowa Digest, nor in the Supreme Court reports. It is the recollection of the family of Judge Gray, however, that the case was appealed and was affirmed by the Supreme Court.

The opinion in full, rendered by Judge J. H. Gray on February 2, 1863, was published in the *Iowa State Register* next day, and was as follows:

ARCHIE P. WEBB, vs. I. W. GRIFFITH, SHERIFF:—This cause came before me in vacation, and at the suggestion of defendant's counsel, an agreement was entered into with the counsel for the plaintiff to continue the hearing thereof until the first day of the present term of court. The facts are briefly these: The plaintiff herein was notified by one of the trustees of Delaware township, in Polk county, to leave the State within three days. He refused. An order was made by Stephen Harvey, a justice of the peace, in and for said township, for the plaintiff's arrest. The sheriff arrested him, took him before the said justice, and he was then tried and fined in the sum of twelve dollars and costs and sent to jail until he should pay the fine and costs or consent to leave the State. In vacation a writ was issued to the sheriff to bring the plaintiff before me to inquire into the legality of his imprisonment. On the trial it was agreed

that plaintiff is a free negro, born in the United States, and that he came from the State of Arkansas to this State since the passage of the law of 1851 excluding free negroes from this State. Upon these facts this cause is submitted to this court. This action arises under that which purports to be a law enacted by the Third General Assembly of the State of Iowa, held in January, 1851, and entitled, "An Act to prohibit the immigration of Free Negroes into this State," and approved February 5, 1851. The first section thereof *excludes free negroes and mulattoes*, from and after the passage of this act, *from settling in this State*. The second section makes it "the duty of all township and county officers to notify all *free negroes* who may immigrate to this State, to leave the same within three days from the time of notice, and upon their failure so to do, it shall be the duty of the constable of the proper township, sheriff of the county, marshal or other police officer of the town, to arrest such free negro and take him or her before a justice of the peace or county judge, and it shall be the duty of such justice or judge to fine such free negro the sum of two dollars for each day he may remain in the State after such notice, and costs of such prosecution, and to commit such free negro to the jail of the county or to the nearest one thereto, until such fine and costs are paid, or until he will consent to leave the State; provided that it shall be ascertained that he or she is unable to pay such fine and costs." The third section provides that "all free negroes now living in this State who have complied with the laws now in force, shall be permitted to remain," etc. The fourth section provides "that on the trial of any such free negro under this act, the justice or judge shall determine from and irrespective of his person, whether the person on trial comes under the denomination of free negro and mulatto." The fifth section provides for its publication, and says, "that it shall take effect and be in force *by publication* in the *Iowa True Democrat*."

The time consumed in the argument, the ability and zeal manifested by the counsel on either side, the very considerable interest manifested by the public and the importance necessarily attached to this case have induced the court to give it a patient hearing and justify an opinion in writing upon the material points urged. In doing so the court will indulge in no evasion nor admit of any equivocation.

The questions to be determined in the case pertain to the validity of this law, and the main points urged by counsel are embraced in the following inquiries:

- 1st. Has the court jurisdiction of this case?
- 2d. Is this law in conflict with the Constitution of the United States?

3d. Did it conflict with the old Constitution of this State under which it was enacted?

4th. Has it ever been repealed, either by subsequent legislation or by the adoption of our new Constitution?

5th. Was the law ever legally published?

I.—Has this court jurisdiction to hear and determine this case on writ of *habeas corpus*? There can be no doubt of the proposition urged by defendant's counsel that where a justice of the peace, or inferior court, has *jurisdiction* of a cause, and proceeds to try and determine the same and render final judgment, that a superior court will not review such proceedings on writ of *habeas corpus*. Had this justice the jurisdiction to try and determine this cause? Section 4427 of the revision says that "A crime or public offense in the meaning of this Code is any act or omission forbidden by law and to which is annexed upon conviction thereof a punishment." Section 4432 of the revision says that "*every* offense *must* be prosecuted by indictment, except—1st, Offenses of public officers, when a different mode of procedure is prescribed by law; 2d, Offenses *exclusively* within the jurisdiction of a justice of the peace, or of police or city courts; 3rd, Offenses in cases arising in the army," &c. Every offense, therefore, that does not come within some one of these three exceptions, the law says *must* be prosecuted by indictment. Is this case embraced in either one of these exceptions? No one can contend that it is embraced in either, unless it be in the 2nd. Then is it an offense *exclusively* within the jurisdiction of a justice of the peace or of a police or city court? It cannot be *exclusively* within the jurisdiction of the justice when the law says in terms expressly that *either* a justice or a county judge shall have *jurisdiction* to hear and determine the case. It cannot be asserted that a county judge can hold either a police or city court. Therefore, it being a public offense—neither within the *exclusive* jurisdiction of a justice, or city or police court—it must be prosecuted by indictment. But should it be contended that the sections to which the court has referred are in conflict with the eleventh section of the Bill of Rights of the new constitution—a question which is not here decided—then had the justice jurisdiction under that section, which says that his jurisdiction in criminal causes shall extend only to a fine of one hundred dollars or imprisonment for thirty days? Clearly not. For, suppose the plaintiff to have had notice to leave the State and did not leave, but remained here two months or sixty days *after* he received such notice and *before* he was arrested! Suppose him then to have been arrested and brought before the justice under this law!—what would have been his duty? First, to have found him guilty; then the number of days he had remained since notice, and then to impose the fine of two dollars per day—for such the law

says he *shall* do. What would have been the fine in such case? Certainly *more than one hundred dollars*, and this the justice, by the positive terms of this law, could not escape. A justice, under this section, has no jurisdiction to hear and finally determine any offense the penalty to which can, on any contingency, exceed the sum of one hundred dollars or thirty days' imprisonment. The Court is therefore of the opinion that the justice had not jurisdiction to finally determine this case and that the cause is properly before this Court.

II.—Was this Act of the Legislature a violation of the second clause of the fourth Article of the Constitution of the United States, which says: "That the citizens of *each State* shall be entitled to all the privileges and immunities of the citizens of the several States"? The Court understands this to mean that the citizens of any one *State* have the right to go into any other State and enjoy the same privileges that such State has conferred upon its own citizens of the same description—(See 2nd Kent, 7th ed., page 35.) To illustrate:—If citizen women or minors from another State come to Iowa—and they have the same privileges here as are given by the laws of this State to women and minors in Iowa—if, therefore, the Constitution or paramount law of this State withholds the privilege of the elective franchise from women and minors in Iowa, the same description of citizens subsequently immigrating to Iowa cannot claim that privilege. But they are entitled to all other privileges not thus expressly denied to such citizens in this State. And if the Constitution secures to them all *privileges* not thus expressly denied—how much more does it secure to them absolute and natural *rights* expressly guaranteed by the Constitution of this State to all such citizens in this State! Or to more aptly illustrate: If free negroes, born in allegiance to the United States, are citizens of the United States, and residing in any other State, remove from thence to this State, they have all the privileges that are not expressly withheld by the laws of Iowa from free negroes residing in Iowa; and if the Constitution of the United States thus secures to them such *privileges* how much more does it secure all natural and absolute rights, which are guaranteed by the Constitution of this State to such citizens in this State? But it is urged that a negro, though he be free and was born in the United States, of parents whose ancestors were here at the time of the Revolution and thereafter remained loyal to this Government, is, nevertheless, not a citizen within the meaning of the Constitution of the United States. A question of so much importance, rendered complex by precedents of great authority on both sides, and urged at a time when the nation struggles as in the agonies of death, and when the horrors of civil war remind us of our misfortunes relative to this unfortunate race, presents no pleasant or easy task for a court. But it is far better that it be settled by the

courts of this State soon—that the question may be at rest—and the validity of this law determined. Nearly all the authorities cited upon this question are reviewed or alluded to in a note to Kent's Commentaries (vol. 2, 7th ed., page 278), and the doctrine is there laid down, that citizens under our Constitutions and Laws mean free inhabitants, born within the United States, or naturalized by the laws of Congress; that negroes born free, or slaves native born but manumitted, are citizens, but under such disabilities as may be imposed by the laws of a State. The authorities upon this question are divided, and as every freeman born in allegiance to this Government is, or ought to be, considered *prima facie* a citizen, a safer conclusion may be drawn from a consideration of the reasons urged to deprive such a person of his citizenship.

III.—The reasons urged for the support of the doctrine that free, native born persons of color are not citizens of the United States are: 1st—They are a degraded race; 2d—They are not in any of the States admitted to all the privileges and immunities of white citizens; 3d—That they were not represented in that body which formed our National Constitution and therefore are not embraced in the words, "We, the people," &c., which are the first words of our Constitution. As to the first of these reasons: It is more a question of history than of law, and I propose to leave to history that which in my judgment can in no wise affect the law. It may be submitted to the enlightened conscience and the determination of a Christian world whether a race of men forced from home to foreign shores, which they never sought, and sold into bondage, should be more despised than pitied. The second reason urged is: That they are not in any of the States admitted to all the rights and immunities of white *citizens*. Suppose that be true. Does it follow that they are not citizens? The privileges usually withheld from them by a majority of the States are those of voting, holding office, being militiamen and attending school with white children, and the Court is of the opinion without doubt that these privileges may be legally and properly withheld from them by the laws of any State. There is a distinction between rights and privileges. The Constitution *guarantees* to us our natural rights and the means of enjoying them. But it may confer or withhold political privileges and such are those we have enumerated. Do not the Constitution and laws of nearly all the States withhold privileges from some and confer them upon others of their white citizens? In nearly all the States the laws create certain offices, as for instance Governor; but withhold the privilege of any white person from holding it until he arrives at a certain age. Yet, they are *citizens* before they attain that age, though not eligible to that privileged position. Will it do to say that because the elective franchise is withheld from some,

yea, many white citizens—that therefore they are not citizens? The Constitution neither by letter nor spirit has imposed any such conditions for citizenship. It leaves to the several States the right to bestow or withhold the elective franchise as a privilege upon the citizens thereof, as each State may see proper. And each State by its constitution has declared who shall and who shall not enjoy that privilege. Hence all the States exclude females and minors from voting; and some of the States formerly confined the privilege of voting to *owners of real estate*. Some of them now impose property qualifications upon adult white citizens as a requisite to the privilege of voting. The right to *base* the privilege of voting upon such a condition, is coupled with the right to entirely withhold it—because the subject may never be able to perform the condition, and therefore never able to enjoy the right depending upon it. Will anyone maintain that females, and native white persons whose right to the elective franchise thus depended upon conditions which they have never performed—have not the constitutional right to go into any of the States over which that Constitution extends its authority? Suppose the Legislature of the State of Iowa to have passed a law excluding from Iowa all adult native white men of the State of Virginia, whose right to vote in that State depended upon a property qualification, imposed by the laws of Virginia, which they never possessed and were therefore not voters in that State; would it be contended that they were not citizens of the United States, because their poverty had prevented their voting in Virginia, and that therefore the law so excluding them was valid? Or suppose it excluded females and minors from the State—would it be contended that the fundamental principles securing the right to life, liberty and property, laid down in the Constitution, do not go with them and protect them in every State of this Union, though no State has conferred on them the privilege of voting? I urge this to show that the authorities most fully sustain—that citizenship under the Constitution of the United States does not in any manner depend upon the right to vote or upon privileges granted. That by virtue of a man or woman being born in allegiance to this Government, and being free—the Constitution confers upon him or her the high prerogative of citizenship—requires of *all their support* in whatever State they may be found, and guarantees to each its protection in whatever State he or she may enter. The third reason upon which this doctrine has been urged remains to be considered. That is, that they were not represented in that body which formed our National Constitution, and therefore are not embraced in the words, “We, the people,” which are the first words of our Constitution. At the time of the ratification of the articles of confederation all free native-born inhabitants of New Hampshire, Massachusetts, New

York, New Jersey, and North Carolina, who had other necessary qualifications, though descended from African slaves, were not only citizens but voters in each of those States. When the Articles of Confederation were under consideration by Congress, a member from South Carolina offered to amend the fourth article by inserting after the word "free" and before the word "inhabitant" the word "white" so that the article would then read the "free white inhabitants of each of these States, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several States," &c. But it was voted *down* by a large majority. Thus these persons still exercised the rights of citizens and even voted in those States under the Confederation. When, therefore, these States were called upon to send delegates or representatives to that body which framed our National Constitution, it is reasonable to suppose that these same colored freemen in those States exercised the privilege of suffrage—at least they enjoyed the right so to do. It therefore follows that they who represented those states represented all who had the privilege of the elective franchise in those States. And it is untrue that they were not a part of the *people* so represented. Nay, more: In those States above mentioned, they had the privilege of voting and doubtless did vote upon the ratification of our Constitution. After an examination of the authorities upon this question, together with the reasons upon which they are founded, it appears that a native-born free man of color, whether born free or a slave and manumitted, is a citizen within the meaning of the National Constitution.

If therefore they be citizens of the United States, they are entitled to all the rights guaranteed to, and privileges conferred upon, citizens of the same description in this State. What rights are guaranteed to such citizens in this State by the Constitution thereof? What privileges are withheld from them by our Constitution and laws? The privileges withheld are those of the elective franchise, to hold office and to be militiamen. The rights guaranteed to such citizens in this State by the Constitution under which this law was enacted are, those of "enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety and happiness." And these rights are guaranteed to such citizens in this State who resided here at the adoption of the Old Constitution. Therefore under the Constitution of the United States the same description of citizens in other States could enjoy these rights in this State. The Constitution of this State is in perfect harmony with the Constitution of the United States in denying to free negroes the privilege of voting, of holding office and being militiamen. But the Legislature had no right to pass a law denying them the right to live in the State when the Constitution guarantees this right to all such citizens in this State at its

adoption. But stress may be placed upon the words "citizens of each State" in this clause, that, therefore, this plaintiff not being a citizen of the *State of Arkansas* is not referred to or embraced under the meaning of this clause. But free negroes *are citizens* of some of the New England States by the laws thereof. Hence, this law if valid, would equally exclude them though citizens of those States. But if this clause refers only to citizens in the sense of citizens of a *State* merely—then it is equally invalid because it *excludes* a description of persons who *are* citizens in some States by the laws thereof. But it cannot be valid as to the citizens of some of the States, and inoperative as to others. If there be one State, the citizens whereof it cannot exclude, neither can it exclude the same description of citizens in any other State. If therefore they have the right to reside in the State and possess property here, how can they enjoy these rights in Iowa when the law, if *valid*, says that they shall not enter the State, directs its officers to arrest and fine them, and forces upon them the entertainment and hospitality of our jails?

IV.—Was this law a violation of the old Constitution of this State under which it was enacted? Article 1st of the Bill of Rights says that "All *men* are by nature free and independent, and have certain inalienable rights, among which are life and liberty—acquiring, possessing, and protecting property, and pursuing and obtaining safety and happiness." For whose benefit was this clause adopted? Manifestly for all men who were and should thereafter be a part and portion of the *PEOPLE* of Iowa. What is here meant by *all men*? The term defines itself—it can mean nothing less than all the human race, and when used in this clause means such of the human race as may be within the bounds of the State of Iowa. It is not hard to see that a negro is one of the human race, but it is very difficult to see how he can enjoy the right of life, liberty, acquire, possess, and protect *property*, and obtain happiness and safety in the State of Iowa when the law banishes him from the State. It will be observed that there can be no nice technicalities about citizenship here, for the term used is, *all men*. But again, Section 8, of the Bill of Rights says "that the right of the *people* to be secure in their *persons*, houses, papers and effects against *unreasonable seizures* and *searches* shall not be violated. Is a law reasonable that *arrests* and imprisons a man where the only *crime charged* is that he is a *freeman* and has settled in the State of Iowa? And where the only issue that can be tried is, is he a free negro or mulatto? And has he come to Iowa *since* the passage of this law? And has he had notice to leave the State? If this law authorizes a reasonable seizure, then what *would* be an *unreasonable seizure*? But again, Section 10 of the old Constitution says that in *ALL criminal prosecutions* the

accused shall have a right to a speedy trial by an impartial jury and be *informed* of the accusation *against* him." It cannot be maintained that this is not a *criminal* prosecution, for the law itself *directs*, first, a notice to leave, then his arrest, then his trial, then a fine and payment of all "costs of the *prosecution*," and then his imprisonment. What more can be added to complete a criminal prosecution? But the Constitution says: "*In ALL criminal prosecutions.*" If this is *one*, then it is clearly embraced in the term "*all*," and is covered directly by this clause. It says that the *accused shall have the right* to a speedy trial by an impartial jury. Here no technical doubts can arise, either as to citizenship, color or condition, for the language is plain. It is "*the accused shall have*," etc. This *law fixes* upon the negro the accusation and designates *him* as the *accused*. Then the Constitution says he *shall have* the right to a speedy trial by an impartial jury. But what does this law say? It says that "on the trial of any free negro under this act, the *justice* or *judge* shall determine from, and irrespective of his person, whether *the person* on trial comes under the denomination of a free negro or mulatto." How can he have an impartial trial by jury, when the law says that the justice or judge *shall determine* the only issue that can be tried? Can a law so at variance with the Constitution be valid? But can this section of the law be void and the remaining sections of it be in force? By close attention to the reading of the law it will be observed that this is the only section that legally defines the crime by stating *the issue* to be tried. A law that only fixes a penalty without *defining* the crime, when it is one of statutory creation and unknown to common law, is inoperative and void, and such is the case with this law under the constitution in force at its enactment.

V.—As to the repeal of this law, but a word need be added. What has been said relative to the old Constitution applies with still *greater* force under the new Constitution, and if the law had been in force under a Constitution allowing its enactment—it would have been repealed by the adoption of our new Constitution. Section 4426 of the revision says that "all laws coming within the purview of this act, shall become repealed when this act goes into effect, except as hereinafter provided." The Court is of the opinion that the fourth section of this act does come within the purview of Section 4432, which says that "every public offense must be prosecuted by indictment, except (see 2d clause) offenses *exclusively* within the jurisdiction of justices of the peace or of police or city courts, etc., and that, therefore, so much of this law was thereby repealed. This section being the only one legally stating the issue to be tried, or crime, created by the law, the law itself is therefore rendered of no effect.

The position assumed, that the law was repealed by *non user*, is so untenable as to need no refutation. For the law is well settled that before custom can make or *non user* repeal a law, either must be of such duration as that the memory of men runneth not to the contrary. The fact that the law has remained a dead letter and has not been enforced for twelve years is not a sufficient *non user* to repeal it.

The last inquiry is as to whether this law, if valid, was ever legally published. The evidence before the court shows clearly that the Session Laws of 1851 were distributed as required by the law, though there are informalities about the evidence of that fact. The position that the law authorizes its taking effect "by publication" in a newspaper, and that it was never so published, and therefore it never did become a law, is in the opinion of the court equally unfounded. The code passed at that session, made provision for the taking effect of all laws not published as directed in newspapers. This construction certainly introduces too technical a practice, and therefore should not maintain. If therefore the law had been valid, it would have gone into effect as did other laws of that session.

Having thus disposed of all material points urged by counsel the judgment of the Court is that the law under which the plaintiff was arrested is inoperative and void; that the proceedings thereunder were therefore unauthorized, that the plaintiff herein is entitled to his liberty, and that he is hereby discharged from imprisonment.

Of the opinion rendered in the case editorial comment ran as follows:

We publish in full in this issue of the REGISTER the Decision of Judge Gray, rendered on the 2d inst. in the case of ARCHIE P. WEBB. The case was one of great interest, and the Judge, with a full appreciation of its importance, has bestowed upon it thoughtful attention. His opinion is one of marked ability, and will be read with satisfaction by every citizen who cares to see justice impartially administered among men.

What other scheme of rascality the miserable demagogues who impelled this prosecution will attempt next, time will probably develop. They have been marked by a reading and thinking public, and will not be soon forgiven or forgotten!¹

(Special Dispatch to the Chicago Tribune.)

Des Moines, Iowa, Feb. 2d, 1863.—Judge Gray of the District Court today read his decision in the *habeas corpus* case of the negro, Archie P. Webb. The court house was filled by an anxious

¹Editorial, *Des Moines Daily State Register*, February 3, 1863.

audience, and the reading of the decision was listened to with breathless attention. The Judge held that under the Constitution of the United States a free negro is entitled to the rights of citizenship; that Archie P. Webb is a free negro, and as such entered the State of Iowa; that the act of 1851, under which he had been arrested and imprisoned, was in flagrant violation of the old Constitution then in force, and the new, which is now the fundamental law of the State, and overrides the plainest principles of the common law. He held the act to be null and void, and his decision, therefore, was that Archie has been unwarrantably arrested and imprisoned, and must be immediately set at liberty.

The opinion had been prepared with care and will be published in full. Thus has ended a wicked scheme of a gang of semi-traitors to inaugurate a general system of persecution against the free negroes in this State, and to that extent embarrass the execution of the President's Emancipation Proclamation in the Mississippi Valley

The *Burlington Hawk-Eye* published a lengthy article upon this decision from which the following is quoted:

The Judge gave his opinion today. It was elaborate and forcible, covering all the ground necessary to a complete vindication of the right of every man to liberty who has not forfeited it by crime. With a frankness and boldness that does him honor, Judge Gray met the case before him. He rejoiced in the opportunity to establish in this case the unity of justice and law. The people of Iowa will thank Judge Gray for vindicating the charter of their liberties, and throwing the shield of the law over the weak and helpless, who have sought a refuge in our midst. When he decreed the freedom of Archie P. Webb, and snapped the meshes that had been so artfully thrown around an innocent and unoffending man, he gave a verdict that will be sustained by the highest legal tribunals of the Country and the chancery of Heaven.

25 CENTS REWARD.

Ran away from the subscriber on the night of the 19th instant, an indented apprentice, named DENA KILLING, about 12 years of age. Any person returning said apprentice shall receive the above reward but no charges.

ELIJAH BUEL.

Lyons, Sept. 25, '39.

—*Iowa Sun*, Davenport, November 13, 1839.

THE SONG "SHERMAN'S MARCH TO THE SEA."

BY CHARLES ALDRICH.

[Charles Aldrich prepared many statements upon men and events of interest in the record of our State which had not been published at the time of his death. His habit of accumulating what he called "side lights" on great men and events is well known and illustrated in numerous of his editorial paragraphs in the ANNALS and the various newspapers with which he was connected. One of these "side lights" that did not reach the columns of the ANNALS while he lived is presented herewith.—Editor.]

Only the other day¹ at Washington City a grand equestrian monument was dedicated to Sherman, the Leader of the March to the Sea. The monument was placed on the very spot where the great commander stood at the close of the war and beheld his veteran armies of the west march down Pennsylvania Avenue. It was one of the world's great days, that day of the Review in 1865. This later day—of the unveiling of the statue—at Washington was also a great day, for the President and his cabinet and a multitude of soldiers and notable men were present. One of the bas-reliefs of the monument is a representation of "Sherman's March to the Sea." The ceremony at the monument recalls the story of how the great march got its name.

It was an Iowa man languishing in prison at Columbia, South Carolina, who, keeping step in prison to the far-off bugle sound of Sherman's army, was inspired to write a song. A negro had carried into the prison, secreted in a loaf of bread, the great news of Sherman's tramp from Atlanta oceanward. It was a little Columbia newspaper, done up into a wad not bigger than a lady's thimble, but between its troubled lines the prisoners had read of how Atlanta, Milledgeville, Savannah, and everything else in Georgia had fallen before the boys in blue. That night the song of "Sherman's March to the

¹October 15, 1903.

Sea" was penned by Adjutant S. H. M. Byers of the Fifth Iowa Infantry. He little dreamed it then, but the name he gave the campaign passed into history for a thousand years.

There was an accomplished glee club in the prison, led by Major John H. Isett of the Eighth Iowa Cavalry, and one afternoon the great crowd of men in the prison were electrified and moved to their hearts' depths by the singing of the glee club when it reached the song of "Sherman's March to the Sea." Major Isett was the first who ever sang the song. The obscure author of the words instantly became a hero among his comrades. A fellow prisoner named W. O. Rockwell had composed the music for the poem, though later it had a dozen settings in the North. It was carried through the lines to the Union army by Lieutenant D. W. Tower, also an Iowa man, who had secreted it in a wooden leg. There it was instantly adopted by the soldiers. A million copies of it were sold at the close of the war, and the great campaign had got its name forever. It brought the author little money, but much repute and not a few advantages. It led to an occasion by which he escaped from prison. It gave him a position on the Commander's Staff, and led to the lifelong friendship of him who marched to the sea.

As the war was closing he was offered a position in the regular army, but declined the honor. In its place he accepted the consulship tendered him at Sherman's request by President Grant. It is recalled how Grant, as he was signing the commission, laughingly said, with a twinkle in his eye, "Well, Sherman, here it is, and I expect a certain song had lots to do with it." Sherman only smiled.

The author went abroad, and as consul, consul-general and acting minister, served under five presidents. He won a high record at the department of state, just as he had won a high record with his regiment in the army.

All his leisure abroad was spent in writing for the best magazines in this country. He also published books, both in prose and verse. Critics have pronounced numbers of his war poems the best of their kind written since the great rebellion. His

love and sentimental poems received high approbation from the poets Whittier, Holmes and Story.

In recent years Major Byers has been living quietly in his beautiful home "St. Helens," at Des Moines, his time occupied with an occasional magazine article, a poem or a book. It is a life of taste and beautiful though not indolent ease.

General Sherman, in his Memoirs, gives a succinct account of the receipt by him of the copy of this song, which was very famous at the close of the war and for some years afterward, and is even now often sung or recited. While describing his entry at the head of his army into the city of Columbia, S. C., he writes:

About this time I noticed several men trying to get through the crowd to speak with me, and called to some black people to make room for them; when they reached me they explained that they were officers of our army, who had been prisoners, had escaped from the rebel prison and guard, and were of course overjoyed to find themselves safe with us. I told them that, as soon as things settled down, they should report to General Howard, who would provide for their safety, and enable them to travel with us. One of them handed me a paper, asking me to read it at my leisure; I put it in my breast pocket and rode on. * * * * After we had got, as it were, settled in Blanton Duncan's house, say about 2:00 P. M., I overhauled my pocket according to custom, to read more carefully the various notes and memoranda received during the day, and found the paper which had been given me, as described, by one of our escaped prisoners. It proved to be the song of "Sherman's March to the Sea," which had been composed by Adjutant S. H. M. Byers, of the Fifth Iowa Infantry, when a prisoner in the asylum at Columbia, which had been beautifully written off by a fellow-prisoner and handed to me in person. This appeared to me so good that I at once sent for Byers, attached him to my staff, provided him with horse and equipment, and took him as far as Fayetteville, North Carolina, whence he was sent to Washington as bearer of dispatches.²

²Memoirs of Gen. W. T. Sherman, v. II., p. 281-3.

AFTER THE BATTLE OF PLEASANT HILL, LA.

BY CAPT. MICHAEL ACKERMAN.

On the evening of April 8, 1864, at the cemetery of Pleasant Hill, several officers were standing together, discussing the events of the day. The Seventeenth corps had been defeated and retreated into our lines demoralized and badly used up. The officers talking over the situation were Lieut. Col. Edward U. Mix, Capt. Amos B. Miller of Company B, Capt. Hubert F. Peebles of Company C, Lieut. Thomas O. Howard of Company B, myself and others. Colonel Mix looked up and said: "There, I see the moon over my right shoulder. According to the old saying it is a good omen and I need not worry." Of these officers just twenty-four hours later, Colonel Mix was dead, Captain Miller, Captain Peebles and Lieutenant Howard were mortally wounded and I was left on the field for dead with two severe wounds,—one bullet through my left knee and another through my right hip. How we formed in line of battle on April 9th; how we stood our ground until nearly half of the regiment was wiped out; how Company A went into battle with thirty-four men in line and only five answered to roll call next morning, I need not tell. You have that in history.

I fell about sundown, and only a few minutes after was stripped by the Confederates of everything except my pants, shirt and underclothing. I had eighty-five dollars in the right pocket of my pants which belonged to the heirs of John Basham who had died in the hospital. One of the Confederates put his hand in my pocket and would have robbed me of that money. The pocket was full of blood from the wound in my hip, and that proved too much even for him. With an oath he withdrew his hand and left me the eighty-five dollars. Money never did me as much good as that did, as you will see later on. They took my watch which had been hit by a ball,

the works destroyed and its value as a timekeeper lost. But one of them said, "The case will make good stars or bars." I remarked that such men as he never would have use for stars or bars. I expected they would finish me and at that time I did not expect to see another sunrise. They stripped Colonel Mix and others stark naked.

About that time the rebels struck our second line. Did you ever take shelter in a hail storm under a board roof? If you did, you can form some idea of the rattling of musketry and the striking of balls around us. I think I got scared for the first time that day. When I was shot I fell beside a ditch about four feet deep, five feet wide and with two inches of water in it. I now rolled into this ditch to be out of the way of our own bullets. Was it not strange? Here I was, not expecting to live, and yet rolled into the ditch for fear of being hit by any more balls.

I describe this ditch more particularly because it is the grave of many of our brave boys of the Thirty-second. It is the grave of Colonel Mix and such men as fell dead around there. I learned afterwards that they were tumbled into this ditch indiscriminately, rebels and Union men, and a little dirt thrown over them.

About twelve o'clock, as near as I could judge, I got very cold, and hearing some one talking and walking near me, I asked him to help me out of the ditch. He was a rebel chaplain and very small, but his heart was as big as an ox. He tried, but could not lift me, so I told him to raise up my legs and I would crawl out. This we managed. Somebody had built a fire. I got beside it and was soon asleep. When I waked up the sun was high up and the boys had put a shelter (part of a dog tent) over me to keep off the sun. John Talbut of my company came to talk to me but I could not understand what he said. A minie ball had entered his mouth, cut off his tongue and passed out through the neck. The poor boy only lived about nine days.

Looking around the place where but twenty-four hours ago we had been standing in all the strength of our manhood, I saw the ground strewn with the dead and wounded so that a

person might go as far as I could see on the bodies of the dead and wounded without once stepping on the bare ground. Here and there a group of wounded gathered around a little fire.

About nine o'clock that evening Captain Miller and myself were put in an ambulance and taken about a mile or a mile and a half to a log house and laid on a blanket on the floor. There were from six to ten others there. One was Robert Mack of my company. He was wounded in the shoulder and the ball had lodged under and at the edge of his shoulder blade. He came to me with an old, dull jackknife and wanted me to cut the ball out. I tried, but the knife was too dull. He went and sharpened it on a cobblestone and came back, but I could not do it as my nerves were not in a fit condition. He persuaded some one else to do the butchering and lived and got well.

The next day, April 11th, we were very hungry. None of us had had anything to eat since before the battle. Captain Miller said if I would reach under his head I would find some hard-tack which he had there and we might eat some. There were four and we each ate one. That night Captain Miller died. He had been shot through the bowels, and although he knew he could not live, he was cheerful to the last minute. He did not give me any keepsake or word to carry home for neither he nor I expected I would ever get there.

I stayed in this log house four days without seeing a surgeon or having anything to eat except the two hard-tack Captain Miller had left me. You would naturally ask why, when there were seven doctors detailed and left there from our own army, there should be none to attend to us. We were left there by a blunder. There were two places used for hospitals and the surgeons were there and had all they could do.

After being in this house four days I was removed to the new academy now used as a hospital, and laid on the same blanket with Captain Peebles of Company C. He had been shot through the knee and his leg was already cut off. The doctors said he was doing very well and if his constitution held out he would get well. He was cheerful and in good spirits,

but his constitution was not strong. Lieutenant Howard I never saw. He had died before this.

About this time I had my first experience with prison fare. Some one brought me a dish of,—I don't know what you would call it. It was musty cornmeal, unsifted, mixed with water and just about warmed through, with a lump of bloody beef in it. I said, "Boys, you have not half cooked this." They answered that they had done the best they could; that there were over three hundred of us and only three kettles to cook with. Is it any wonder that so many died there? It was not all wounds that killed them. I don't blame the rebels any on that score. That was all they had. After some of our men were taken to Tyler, Texas, and many more died, they had a better way of preparing their meals and our cooking was better.

I don't know how long it was, but it must have been some eight or ten days after I was put with Captain Peebles that I woke up one night and he was singing and praying and tearing away at his wound. I reached down and found his limb bleeding. I called the doctor, but it was too late. He had torn off the bandage and the flesh from his stump and lost so much blood that he died before morning.

My back got so sore lying on the hard floor with nothing but a blanket under me, that the bare backbone stuck out and bothered me more than either of my wounds, so they put me on a cot. The maggots troubled us a good deal, but I will leave what I saw and felt about that untold and tell something more pleasing.

A lady by the name of Cole came to this hospital once and sometimes twice a week with a one horse light wagon loaded with chicken broth, pies and other good things to eat. She distributed these to the most needy of us and never would take anything for it. Her husband was an officer in the rebel army. She was about forty years old. Her image is deeply impressed upon our hearts and will never be dimmed or erased. If ever a woman deserved the gratitude of a nation, Mrs. Cole is entitled to it. Several times I saw her when some of the boys came to her and asked for something to eat, tell them with tears running down her cheeks that it was all gone but that she would go and get what she could and bring

it in. May God bless her evermore. A few years ago I wrote to the postmaster at Pleasant Hill, inquiring about her, but he could give me no information.

There is one other thing I must not forget. I cannot give the time, but it must have been some five or six weeks after we were taken prisoner that one day two army wagons loaded with sanitary goods came with a flag of truce. Think of our joy, not only for the goods that these wagons contained, but in the thought that our friends, possibly our near relatives, thousands of miles away had thought of us, prisoners of war, wounded and sick, and had sent to us with their blessing delicacies their hands had prepared. I have often heard during and since the war that most of the sanitary goods were squandered and that those that deserved them never received any, but we received our share. Out of the tens of thousands of sick and wounded in the United States army, we, only a handful of about sixty or seventy, received two big wagon loads. Every one of the boys who were there at that time will say with me to those ladies who worked so hard and steadfastly that they did not work in vain and that they have our heartfelt thanks and gratitude.

With the money I had in my pocket when I was wounded, which the rebels tried to take and didn't, I bought eggs, chickens and tobacco. I paid one dollar per dozen for eggs, one dollar for a fried chicken and four dollars per pound for tobacco. I got about two eggs out of a dozen and about a shank and wing out of a chicken and about the same proportion of the tobacco. But how could it be otherwise? The boys had no money, over four months' pay was due us and no prospect of getting any very soon. Maybe you don't know how it seems to be eating something good and a lot of half-starved, wounded and sick boys looking on. Well, one or two dozen eggs and one or two chickens did not last long. Tobacco, as now, was always free. When the money was almost half gone I did better. I traded U. S. money for Confederate money, one dollar for five, and their money bought the same as ours.

As time wore on some one would come in to tell me that such and such a one died last night, or this morning, and

that such and such a one was not expected to live. This went on until about the 17th of June when a rebel officer came with our paroles. Here was a dilemma. We were seventeen miles from the boat landing. Of the fifty-three of us that had survived some could walk but the most of us had to go in wagons. Ambulances there were none, nor a spring wagon in that part of the country, so there was nothing left but the army wagon. It was decided by the surgeons that a comrade and myself could not be moved. Dr. Wm. L. Huston, Assistant Surgeon of the Thirty-second Iowa Infantry, told me with tears in his eyes that they would have to leave me. I begged him to take me but he said it would be of no use; I would die on the road. I implored him with all the eloquence in my power; promised him I would not die, or if I did, it would not be his fault. Told him to throw me out and go on. It would not be worse than if I were left alone and I would surely die if left.

Finally he promised he would see what he could do. Poor Doctor! he had no more idea of taking me there alive than he had of flying. In a little while he returned and said he had procured a conveyance, such as it was. I can see it yet,—an old sorrel horse and an old shakly wagon without springs, but it corresponded with the passenger for I was in a very dilapidated condition.

After I was loaded in, the Doctor gave me a canteen full of Louisiana rum and told me to drink it and have the canteen empty before we got to the river. He told me whenever I felt pain to let him know and he would give me opium. We started with the Doctor driving. All along the road the boys would pick blackberries and give me a tin cup full with milk. I don't know where they got the milk, but guess they had not forgotten how to forage. When we reached the river my canteen was empty and the Doctor said he had given me fourteen grains of opium going the seventeen miles. I did not feel the liquor any more than so much water. I felt happy and without pain on that whole trip.

Fifty-two of us started from Pleasant Hill that fine June morning, and fifty-two arrived in New Orleans, I don't know how soon after, but it did not seem long to me.

I will have to relate an incident that happened on this trip down Red River. George A. Demander of Company F had received a shot in the eye (I think, the left). The ball passed in at the eye and passed out back of his ear and caused him to be partially out of his head. There was also a lieutenant of a New York regiment on board. The boys said that when his regiment was going into line of battle this lieutenant made a misstep and sprained his ankle, and fell behind or under a fence. Anyway, the rebels captured him and he was not wounded or hurt. On the boat he ordered George to get him some water to wash in, George would not do it, so he gave George a lick on the head and knocked him down. This happened on the hurricane deck. The Doctor in charge of us, a big stout fellow, grabbed the lieutenant, and from there down to the foot of the stairs it looked to me as if the Doctor had a dozen legs, every leg had a foot and every foot struck this lieutenant on that part of his breeches that he was in the habit of sitting on. When they got downstairs the lieutenant said to the Doctor, "I'll make it hot for you when we get into our lines." The Doctor told him to go to h—l; he'd teach him not to meddle with any of his patients. How the boys cheered!

We arrived in New Orleans in due time, a happy lot of half-starved and crippled soldiers, our fighting days over. While here I had a craving for something sour and sent one of the waiters to get me some pickled pigs' feet. I ate one, and wasn't I sick! I parted with every particle of corn-meal and blue beef I had eaten for the last nine weeks while in the rebel prison. They called for the Doctor and he was mad. He wanted to know who gave me those pickles; he would have him courtmartialled. But he never found out. I told him that was my business; I had sent for them myself and paid for them.

Well, this is about all! We stayed in New Orleans three days, then were sent to Memphis, from there to St. Louis and finally home. This is a short history of our army wanderings after the battle of Pleasant Hill.

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William Salter George Temple William B. Remy Bernhart Henn Anthony W. Carpenter William F. Coolbaugh

ANNALS OF IOWA

EDITORIAL DEPARTMENT

INSTALLATION OF THE EDWARD AMES TEMPLE MEMORIAL TABLET.

The bronze memorial tablet provided by the will of Edward Ames Temple to perpetuate the memories of seven pioneer citizens of Burlington, Iowa, was installed with appropriate ceremony in the Historical Building, Tuesday, June 17, 1913. The tablet was placed on the wall at the head of the grand stairway. The exercises of installation were held in the corridor, a beautiful and appropriate setting for the occasion. Gov. George W. Clarke presided. Rev. Charles J. Shutt, pastor of St. Mark's Church, of which Mr. Temple had been a member, offered prayer, and Hon. Thomas Hedge of Burlington, whose father was a compeer of the men commemorated, gave the address of the day which is printed in full elsewhere in this issue.

The presentation was made by Mr. E. E. Clark, successor to Mr. Temple as president of the Bankers' Life Association, in the following words:

The Executors of the Estate of Edward A. Temple, following the mandate of his will, now tender to the Historical Department of the State of Iowa the memorial tablet for the making of which Mr. Temple provided funds.

Under the terms of his will the tablet was to be procured under the supervision of Mr. John T. Remey and Mr. E. H. Carpenter. The work fell largely into the hands of Mr. Remey, who has spared no pains to collect the photographs from which the bronze medallions were prepared and who devoted much time and care to procure the results you see here today.

The tablet recites that it perpetuates delightful memories of the strong men named. And so it does. None the less it keeps alive the memory of the giver himself, worthy, as he was, of companionship with such a gallery of strong and useful men.

Judge Scott M. Ladd accepted the tablet on behalf of the Historical Department of Iowa, and at his request the Curator reviewed briefly the work undertaken by the Department.

Edward Ames Temple, donor of the tablet, was a native of Illinois but came with his parents in 1837 to Burlington, Iowa, where he grew to manhood in close touch and personal friendship with the pioneers of that city. The vivid and pleasant recollections of seven of the most prominent men of that early day remained with him during his lifetime and led him to provide this commemorative tablet.

William D. Mitchell of New York designed the tablet. The sculptor was Allen G. Newman, who at one time was assistant to John Quincy Adams Ward and who has executed numerous historical groups, portrait busts and commemorative tablets. No likeness of Levi Hager being obtainable, the tablet bears bas-relief medallion portraits of six only of the pioneers commemorated,—William Salter, George Temple, William B. Remey, Bernhart Henn, Anthony W. Carpenter and William F. Coolbaugh. The border of the tablet is composed mainly of oak leaves, showing acorns and acorn cups, with which are mingled pine branches and pine cones. In the center of the band of oak leaves and sprays of wheat which separates the portraits from the inscription appears the American eagle, with out-stretched pinions, symbolic of the great sweep and extent of our country, while immediately behind the eagle is a representation of the setting sun with rays streaming therefrom, leading the thought to the sun setting below the horizon of the western prairies. In the center of the border at the bottom is placed the seal of Iowa.

The inscription reads as follows:

THIS TABLET WAS ERECTED THROUGH A PROVISION IN
THE WILL OF

EDWARD AMES TEMPLE

TO PERPETUATE THE MEMORY OF

WILLIAM SALTER GEORGE TEMPLE WILLIAM B. REMEY
BERNHART HENN ANTHONY W. CARPENTER

WILLIAM F. COOLBAUGH LEVI HAGER
PIONEER CITIZENS OF BURLINGTON, IOWA

AS AN EXPRESSION OF THE DEEP RESPECT
IN WHICH THEY WERE HELD BY THEIR FELLOW CITIZENS
AND HIS OWN DELIGHTFUL MEMORIES OF THEM
AS HIS PERSONAL FRIENDS. MCMXII.

COMPLEXITY OF THE GLACIAL PERIOD, AND IOWA'S ROLE IN ITS ESTABLISHMENT.

Although Louis Agassiz's theory of continental glaciation was one of the most brilliant generalizations of modern science, it was neither so complete nor so widely applicable as was at first supposed. What was even more important to its scientific value than the bare statement of the conception itself was the recognition of the fact that there was not one but many glacial epochs in the earth's history. Of course Croll's hypothesis urged the necessity of successive glacial periods, but it was soon shown that his astronomical dates were too far apart to account for the vicissitudes of the epoch which we are now mainly studying. So we have to go back to the testimony of the glacial deposits themselves for our fundamental data.

In the great world-wide controversy which warmly waged for more than a generation, Iowa chanced to bear a conspicuous part. It was in Iowa that the first real evidences were found indicating the multiple instead of the unal character of the glacial epoch. They were Iowa men who made this great discovery. In Iowa were finally differentiated not one but five great glacial drift-sheets, or deposits, marking the successive advancement of the vast fields of northern continental ice. On Iowa men chiefly devolved the responsibility of first working out the complete and genetic relationships of these remarkable glacial till-mantles. Today the Iowa classification of the Great Ice Age is accepted for the whole world.

In order fully to appreciate the genuine importance of the Iowa results bearing upon glacial complexity as opposed to glacial unity the facts leading up to the birth of the idea may be briefly reviewed. So early as 1870 Edward Orton observed peat-beds in the glacial deposits of Ohio, and he rightly concluded that this feature indicated a warm interglacial epoch. He stated that evidence was at hand for the orderly arrangement of post-Tertiary deposits. This dual aspect of the glacial debris was further substantiated by

Leverett, Chamberlain, Gilbert, McGee and others. In the prolix discussion which followed on the duality of the Glacial period the real facts were overlooked or misinterpreted and the possibility of a multiple instead of either an unal or dual Ice age was lost sight of. Once suggested the multiple hypothesis, about the year 1893, rapidly gained general acceptance among scientific men.

The arguments for a dual Glacial period and at the time of its proposal for a multiple Ice age were based mainly upon the fact of the presence in till-sections of thin black soil streaks, replaced here and there by thicker peat-beds. That there might be extensive interglacial sand or clay deposits was not thought of. Yet they were actually recorded and described a full decade prior to the time when their true significance was pointed out. Such an interglacial deposit clearly intercalated between two great till-sheets is the one on Capitol Hill in Des Moines, described in detail by W J McGee in 1882.¹ It seems to be the first one ever recorded the stratigraphic relations of which were unmistakable.

C. K.

NOTES.

The First National Bank of Davenport, Iowa, commemorative of the completion of the fiftieth year of its present legal status, published a volume which is entitled to more consideration than that given a mere record of financial development of a community. The foreword by the President of the Bank, Hon. A. F. Dawson, is a chapter on the banking history both of Iowa and the country at large:

In presenting this little volume to the public the aim has been to set forth in concise form the facts leading up to the establishment of the first bank which opened its doors for business under the National Bank Act of 1863, together with a history of its progress for the half century of its existence, and to make plain the marked

¹American Journal of Science, v. 24, pp. 202-23.

advance which has occurred during the past seventy years in lifting the banking institutions of the United States on to a higher plane of efficiency, stability and permanency.

Naturally, more than ordinary interest attaches to the first of any species, and so a great many requests have been made that the history of the bank which first began business under the law of 1863 should be compiled. The National Banking system has grown to be such a powerful factor in handling the fiscal transactions of a great commercial nation; it has done so much to furnish the people with a safe and uniform currency, and its wise and sound provisions have exerted such a wide influence in shaping legislation governing State banks in the different commonwealths of the Union, that a desire naturally arises to know more of the bank which first set forth under that system to transact a banking business.

It is a matter of some comment that the first National Bank to begin operations under the Act of 1863 should be located in the Middle West, but this is attributable to the energy of the founders of the First National Bank of Davenport. The first group of banks chartered under the law had an even start in this regard, as their charters were signed on the same day—June 22, 1863—and sent forth simultaneously from the Comptroller's office. Fourteen charters were signed by the Comptroller of the Currency before he affixed his signature to the one of the First National Bank of Davenport. But a charter is not a bank—it is simply the grant of privilege to open a bank. A bank is an institution for receiving and lending money, and it becomes such when it opens its doors and begins the transaction of such business. The First National Bank of Davenport became the first National bank in the United States on June 29, 1863, when its doors were opened to the public and it began to perform all the functions of a banking institution—the receipt of deposits, the selling of exchange and the making of loans. For two days it enjoyed the distinction of being the one National bank in all the domain of the United States. On July 1st several others came into being, and thereafter the number increased rapidly.

It is natural that the history of one National bank does not differ in its essential details very widely from all other banks of the same kind, but a study of the activities of such an institution discloses the evolution which has occurred in banking methods during the past half century. The record of this bank, which has always stood for the highest ideals and the best methods of rendering efficient service to the community, may be studied with profit.

A comprehensive glance at the progress in banking and finance during the past half century brings into strong relief two facts of paramount importance. Banking has been effectually separated from the fierce passion of partisan politics, and the business has

become firmly planted on the high plane of conservatism, integrity and uniformity. With the establishment of these fundamentals, we may look forward to the future with confidence that legislation to meet changing conditions and handle properly and effectively the expanding business of a sturdy and progressive nation will be drawn on safe and sound lines.

For the general historical portion of this volume the author is indebted to numerous standard treatises and to the reports issued by the Government. Local histories and the files of the daily newspapers have been drawn upon for a considerable part of the biographical material and that portion of the story of the First National Bank which was lacking in the records of the institution. If this little volume shall serve to give us a better understanding of the progress of the past half century, and a keener appreciation of the advantages of the age in which we live, its publication will have been amply justified.

Davenport, Iowa, June 9, 1913.

Allen G. Newman, sculptor of the Temple memorial tablet, was born in New York City in 1875. He began his career as sculptor in 1895. For four years, 1897 to 1901, he was an assistant to John Quincy Adams Ward. After leaving Ward's studio he studied at the Academy of design for some time before opening his own studio. His principal works are as follows:

Playing fountain, "Music of the Waters," on Riverside Drive and 156th St., New York. Bought by the City of New York. Erected in 1910.

Colossal bronze sculptured electric light standard, commemorating the discovery of the Hudson river by Hendrik Hudson, given to the City of New York by the Colonial Dames of America and erected on Riverside Drive and 72d St.

Statues of "Justice" and "Liberty" on New York state building, St. Louis Exposition.

Panels in high relief, Historical Scenes of Early American History, New York state building, Portland Exposition, Portland, Ore.

Heroic bronze statue "The Hiker," a soldier of the Spanish-American war, originally erected at Jamestown Exposition. Permanently erected in bronze by Spanish-American war veterans in Bayonne, N. J., also in North Burial Ground, Providence, R. I. To be erected in a number of cities by the Spanish-American war veterans.

Bronze portrait of General Oates, Governor of Alabama. Erected in Montgomery, Ala.

Colossal bronze group "Spirit of Peace Forbidding War," commemorating the ending of the war between the North and the South. Erected at the entrance to Piedmont Park, Atlanta, Ga., by the Gate City Guard of Atlanta.

Joel Chandler Harris Monument, with tablet and portrait. Erected at Atlanta, Ga.

Sculptured marble figures on the Night and Day Bank, New York City.

Gen. Phillip Sheridan monument, large portrait relief with flag and bas-relief panel "Sheridan's Ride." Erected at Scranton, Pa.

Statue "Pioneer" in front of State Capitol, Salem, Oregon.

Portrait bust, William Allen, New York City.

Statue "Egyptian Water Carrier," University Court, New York City.

Large bronze tablets on Seamen's Institute, New York City, commemorating gift of Mrs. Russell Sage.

Bronze statue "I. Marks," at Meridian, Miss.

Bronze portrait of William Glodomore Leake, erected in Rockingham Memorial Hospital, Harrisonburg, Va.

Bronze portrait of Edward W. Sparrow, erected in the Edward W. Sparrow Memorial Hospital, Lansing, Mich.

Bronze portrait of Jonathan Dwight, founder of the Church of the Unity, Springfield, Mass., erected in Springfield, Mass.

Bronze portrait of General Russell, erected in U. S. Military Academy, West Point, N. Y.

Bronze portrait of Newton P. Walker, erected in the Institution for the Deaf and Blind, Cedar Springs, South Carolina. Ordered by the State of South Carolina.

Bronze portrait of Thomas Wrigley, erected on the Wrigley Memorial monument, Paterson, N. J.

Colossal bronze crucifix for St. John the Baptist Greek Catholic Church, erected in Perth Amboy, N. J.

Bas-relief, tomb door, Erb mausoleum.

The new Methodist Meeting House in this city is now occupied by the Legislative Assembly. It is a very neat and substantial building. The basement story—partitioned off for Conference and school rooms—is composed of stone, and the upper story of brick. It is in a commanding situation, and when finished, with its cupola and bell, it will be a great ornament and acquisition to the city of Burlington.—Burlington, I. T.—*Burlington Patriot*, Dec. 13, 1838. (Prospectus)

NOTABLE DEATHS.

WILLIAM LARRABEE was born in Ledyard, Connecticut, January 20, 1832; he died at Clermont, Fayette county, Iowa, November 16, 1912. He was raised on a farm, educated in the common schools, and at the age of nineteen began teaching. In 1853 he removed to the town of Hardin, Allamakee county, Iowa, where he resumed teaching. For some three years he managed the farm interests of his brother-in-law, Judge E. H. Williams, whose agricultural interests lay chiefly in Clayton county. Mr. Larrabee became interested in the flour mills at Clermont in 1856 and soon became their sole owner. He also manufactured brick and tile, and later turned his attention to practical farming, acquiring large areas of good farm lands in northeastern Iowa. He established or had interest in several different banks at different periods. With remarkably close attention to personal business Mr. Larrabee nevertheless found time and sufficient patriotism to make himself the benefactor of his generation through a long, arduous, faithful and successful career as a public servant. A tender of his services as a soldier in the War of the Rebellion was rejected because of deficient sight. He was elected to the Iowa Senate in 1867 continuing by subsequent election for eighteen years, resigning to accept the nomination for Governor. He was elected and served from 1886 to 1890. His service in the Senate was for the greater part of the time as chairman of the Committee on Ways and Means. In the Executive office his great influence, industry and poise were factors in a pronounced general advance in state government and particularly in the adoption and effectuation of beneficial laws along the line of railroad regulation and suppression of intemperance. After retiring from the Executive's office he continued his active and efficient interest in public matters. Scarcely a public man in Iowa who had been or desired to be connected with the progress Governor Larrabee had headed, but was in constant conference or correspondence with him. Largely from this constant call there was produced Governor Larrabee's volume, "The Railroad Question," which took place as and has remained an authority. Among the reforms that originated with Governor Larrabee or were early espoused by him was that of the placing of all the state institutions, except those for education, in the charge of a Board of Control. A law establishing this system was passed by the Twenty-seventh General Assembly and became effective on July 1, 1898. Governor Larrabee was appointed one of its three members and became its chairman, and his influence in the introduction of the system is apparent to this day in its simple and effective business methods. The strength and system in Governor Larrabee's life extended beyond personal pecuniary success and public political service. Rounded out as few Iowa men have caused their lives to be, Governor Larrabee early interested himself in matters of art and culture, his home life having been shared almost continuously by leaders in educational and artistic pursuits. He erected monuments to the memory of the nation's heroes in his home town, and advised and encouraged Charles Aldrich in his early and late struggle for the establishment of the State Historical Department at Des Moines. He gave to the Iowa Commission at the Louisiana Purchase Exposition at St. Louis in 1903 a most unselfish and efficient service. He was chairman of the Executive Committee

of this commission, and contributed largely of his personal funds. He selected and paid for a number of art objects that gave the building an interest that has never been equalled by any similar headquarters at any of the expositions. A more extended biographical account of Governor Larrabee will be presented hereafter.

WARREN SCOTT DUNGAN was born at Frankfort Springs, Beaver county, Pennsylvania, September 12, 1822; he died at Chariton, Iowa, May 9, 1913. He was of Scotch-Irish descent and three of his ancestors served in the war of the Revolution. He obtained his early education in the academy at Frankfort Springs. In 1851 he went south, first to Louisiana and later to Panola, Mississippi, where he taught school and studied law for three years. In 1855 he returned to Pennsylvania, entered the law office of Roberts & Quay and the next year was admitted to the practice and removed to Iowa. He located at Chariton, took up the practice of law and maintained his residence there until his death. In 1862 he represented the Twelfth District, composed of Lucas and Monroe counties, as Senator in the Ninth General Assembly. He resigned his position to recruit a company which became Company K, Thirty-fourth Iowa Infantry, of which he was elected Captain. In 1862 he was commissioned Lieutenant Colonel and on May 25, 1865, was brevetted Colonel. He participated in the battles of Chickasaw Bayou, Vicksburg, Fort Blakeley, Mobile and other engagements. The last six months of his service were spent on the staff of Maj. Gen. C. C. Andrews as Inspector General of the Second Division Thirteenth Army Corps. He was mustered out at Houston, Texas, July 15, 1865. Colonel Dungan was a delegate to the Republican National Convention in 1872, and a presidential elector from the Seventh Iowa District when General Grant was elected president. He served as Representative in the Eighteenth and Nineteenth General Assemblies and again as Senator in the Twenty-second and Twenty-third General Assemblies. He was Lieutenant Governor of Iowa from 1894 to 1896, and afterward county attorney of Lucas county for two years. Colonel Dungan's career of fifty-seven years in Iowa was marked with success as a lawyer, soldier, orator and citizen. He was of invaluable service to Charles Aldrich in the formation of the early plans for founding the Historical Department of Iowa.

ORLANDO HARRISON BAKER was born in Union county, Indiana, September 16, 1830; he died on board the United States transport "Thomas" in the harbor of Nagasaki, Japan, August 6, 1913. At an early age he attended Mt. Morris Seminary at Mt. Morris, Illinois, and later had a term in Alleghany College, Meadville, Pennsylvania. After working and teaching to earn the necessary funds he entered Asbury University, now De Pauw University, at Greencastle, Indiana, and received the degree of A.B. therefrom in 1857. Three years later the degree of A.M. was conferred upon him by the same university and in 1905 Simpson College bestowed upon him the degree of LL.D. He began teaching in Indiana but removed to Indianola, Iowa, in 1863, and served as principal of the Indianola Male and Female Seminary, now Simpson College, until 1867. From 1865 to 1870 he studied law and was admitted to the bar. After a year's teaching in the Methodist Conference School at Glenwood, he was elected professor of Greek and Latin in Simpson Centenary College and remained until 1871, when he was appointed principal

of Algona College which position he filled until 1875. He served as pastor of the Methodist Church at Cambridge and at Boonesboro from 1875 to 1877, having been ordained a minister of the Methodist Church in 1858. In 1879 he returned to Indianola and the next year became editor of the *Indianola Herald*, continuing in that capacity until 1886. From 1886 to 1892 he traveled as correspondent for the *Chicago Inter Ocean*. In 1893 he received from the Government the appointment of consul to the port of Copenhagen, Denmark. In 1900 he was advanced to the position of United States consul at Sydney, Australia, where he remained for eight years, when he was sent with similar duties to Sandakan, North Borneo. He was on six months' leave of absence from this post of consular duty at the time of his death.

WILLIAM HARVEY BROWN was born at Des Moines, August 22, 1862; he died at Salisbury, Rhodesia, South Africa, April 5, 1913. He was educated in the public schools of Des Moines and the University of Kansas, at Lawrence, Kansas, where he took the degree of B.Sc. In 1886 he joined W. T. Hornaday in an expedition to Montana to secure skins and skeletons of the American bison. Subsequently he entered the Natural History Department of the Smithsonian Institution, Washington, D. C. In 1889 he was appointed naturalist on a scientific expedition sent to Angola by the United States Government. After a short time spent on the west coast of Africa he went to Cape Town and in 1890 joined the British South Africa Company Pioneer Corps, formed by Cecil Rhodes, and with it went to Mashonaland, participating in all the hardships endured by the pioneers in that country and continuing his work as a naturalist. Many specimens collected by him were sent to the Smithsonian Institution while others are to be found in the Cape Town Museum. He took part in the Matabele war in 1893 and assisted in quelling the Mashonaland rebellion, in which he was quite severely wounded. He revisited America and in 1899 published his book, "On the South African Frontier." He returned to Africa and settled on a farm five miles from Salisbury, and devoted himself mainly to farming and agricultural matters. He was actively interested in the public affairs of Salisbury, serving at various times as member of the Chamber of Mines, Chamber of Commerce, Salisbury Municipal Council, as Mayor and later as member for the Salisbury division in the Legislative Council. He also took a prominent part in the Mashonaland Farmers' Association, the Rhodesia Agricultural Union and Rhodesia Agricultural and Horticultural Societies.

JACOB RICH was born in New York City, December 18, 1832; he died at Dubuque, Iowa, September 11, 1913. His early education was received in Philadelphia. He removed to the West in 1856 and spent some months in Dubuque. He located in Buchanan county where he commenced the publication of the *Quasqueton Guardian* which in 1858 he removed to Independence and continued its publication as the *Buchanan County Guardian* until 1865, serving also part of that time as postmaster of Independence. In 1864 he was chief clerk of the House of Representatives in the Tenth General Assembly. In 1865 he went to Washington as clerk of the naval committee of the United States Senate, and remained there until 1869. After spending a year in travel abroad, he purchased a half interest in the *Dubuque*

Times and assumed editorial control which he held until 1875. He served as chairman of the Republican State Central Committee of Iowa in 1872 and again in 1877. He was appointed pension agent at Dubuque in 1874 and held office until after the removal of the agency to Des Moines. He was one of the organizers of the Iowa Trust & Savings Bank and acted as director until the last annual meeting, when he resigned on account of ill health. He became president of the Board of Library Trustees at its organization and held the office until his death. Mr. Rich was a brilliant writer and took high rank among the editors of his day. He was prominent in politics, a close friend of Senator Allison and had an active part in his campaign for Republican nomination for President in 1888. His interest in Dubuque was manifested by his efforts to obtain the best of city government and city ordinances.

CHARLES E. PUTNAM was born in Nashua, New Hampshire, July 10, 1839; he died at Cedar Rapids, Iowa, May 23, 1913. His early education was received at Nashua Academy, one of the oldest institutions of the kind in New Hampshire. In 1854 he removed with his parents to Cedar Rapids and acted as clerk in a store for a short time. In April, 1855, he went on a hunting trip to Kossuth county, then almost in the wilderness, and remained there three years. Returning in 1858 he attended Western College and taught school until the outbreak of the Civil War. He enlisted in the fall of 1861 in Company G, Thirteenth Iowa Volunteer Infantry and was made Second Lieutenant. He was rapidly promoted to Captain and participated in the battles of Shiloh, Corinth, Iuka and Vicksburg. In April, 1863, he was made Judge Advocate General for the district of Vicksburg, and later detailed as mustering officer and assigned to the fourth division of the Seventeenth Army Corps, serving on the staffs of Major Generals Walter Q. Gresham, Giles A. Smith and W. W. Belknap. He was in the hardest fighting at Atlanta and with Sherman on the march to the sea. He was on the staffs of Governors Drake and Shaw with the rank of Colonel. At the close of the war he spent a year in Chicago and then engaged in the mercantile business at Mt. Vernon. He was elected county registrar at Marion and served for eight years, and afterward for many years acted as cashier of the Merchants National Bank at Cedar Rapids. For six years prior to his death he had held the position of State Bank Examiner.

BENJAMIN BEACH was born in Hamilton, Butler county, Ohio, January 20, 1827; he died at Muscatine, Iowa, May 16, 1913. When thirteen years of age he was apprenticed to a tinsmith in Richmond, Indiana, and after learning that trade followed it for many years. At the outbreak of the Mexican War he enlisted in the First Ohio Volunteers and remained in the service about sixteen months, participating in the most of the marches and campaigns, and received honorable discharge at the close of the war. In 1850 he removed to Muscatine, Iowa, and opened a store which he conducted until the beginning of the Civil War. On April 17, 1861, he enlisted in Company A, First Iowa Volunteers, was elected First Lieutenant and served through three months' campaign, participating in the battle of Wilson's Creek. He then organized a company for the Eleventh Iowa Regiment and re-enlisted as Captain of Company H for a service of three years. He participated in the battles of Shiloh, Corinth, Vicksburg, the campaign against Atlanta, and was present

at the grand review in Washington in May, 1865. During this time he was promoted rapidly until he reached the rank of Colonel. He had the unusual record of never being off duty by illness, never wounded or captured and but once absent on leave. He was mustered out of the service at Louisville, Kentucky, July 19, 1865. He returned to Muscatine and engaged successfully in the hardware, grocery and tile manufacturing business, and for eight years acted as postmaster of Muscatine.

JOSEPH B. LEAKE was born in Deerfield, N. J., April 1, 1828; he died at Chicago, Illinois, June 1, 1913. He removed with his parents to Cincinnati, Ohio, where he received his early education. He graduated from Miami University, Oxford, Ohio, in 1846, studied law under Hon. W. S. Groesbeck, and was admitted to the bar in January, 1850. After practicing in Cincinnati for about six years he removed to Davenport, Iowa. He was member of the House of Representatives from Scott county in the Eighth General Assembly and Senator during the Ninth, Ninth Extra and Eleventh General Assemblies. At the outbreak of the war he recruited a company, was elected Captain, mustered into the Twentieth Iowa Infantry and later commissioned Lieutenant Colonel. He was wounded and made prisoner at Morganza, and participated in the siege of Vicksburg, Mobile, Spanish Fort and other engagements. He was mustered out with the title of brevet brigadier general. He resumed the practice of law at Davenport and served as county attorney and president of the Board of Education. In 1871 he removed to Chicago and continued his law practice and in 1879 was appointed by President Hayes district attorney for the Northern District of Illinois. For several years he was attorney for the Board of Education.

DELOS E. LYON was born in Franklinville, New York, November 14, 1832; he died at Dubuque, Iowa, April 10, 1913. He attended the schools of Franklinville and Buffalo, was clerk in a country store for about a year and then passed three years in study at Oberlin College, Oberlin, Ohio. He returned to Franklinville and successfully conducted a store until 1857, then studied law and passed the New York state bar examination in 1859 in the same class with Grover Cleveland and other afterward noted lawyers. He immediately removed to Dubuque, Iowa, and entered upon the practice of law at the corner of Fifth and Main Streets, where he maintained his office, associated with various partners, for fifty-four years. During the Civil War he proposed to volunteer first in the Sixteenth Iowa Infantry and later in the Eighth Cavalry, but at the request of the Adjutant General remained in the recruiting service and rendered valuable service as recruiting officer and aide-de-camp on the staffs of Governors Kirkwood and Stone. Colonel Lyon was a Republican in politics, casting his first vote for John C. Fremont. He was city attorney and surveyor of the port of Dubuque, attorney for important railroad and express companies and practiced in all the state and federal courts including the Supreme Court of the United States.

DAVID J. PATTEE was born in Chittenden county, Vermont, December 22, 1839; he died at Okoboji, Iowa, July 1, 1912. He received his education in the public schools and academy of Georgia, Vermont, and was clerk in a general store in that town until the outbreak of the Civil War. He enlisted in Company A, Ninth Vermont

Volunteer Infantry and was taken prisoner in the battle of Harper's Ferry. He was paroled shortly afterward and sent to Camp Douglas near Chicago in charge of rebel prisoners, but soon received his discharge on account of disability. He came to Des Moines, recovered his health, and in June, 1864, re-enlisted in Company F, Forty-seventh Iowa Volunteer Infantry, and soon after was promoted to Captain. After a service of a few months he received honorable discharge and returned to Des Moines, engaging in the mercantile business. He was a Republican in politics and held the positions of county supervisor, mayor and postmaster. He was elected Representative from Dallas county in 1883 and served through the Twentieth and Twenty-first General Assemblies. He was always deeply interested in all movements that contributed toward the welfare of Perry and gave to the city twenty acres of land for a park.

JULIAN PHELPS was born in Chittenden county, Vermont, April 4, 1838; he died at Hollywood, California, February 25, 1913. He received his early education in Vermont and entered the Vermont State University in 1860. In 1864, just previous to his graduation, he enlisted in the Eleventh Vermont Infantry and was wounded soon after at the battle of Cold Harbor. He recovered sufficiently to graduate with his class and then returned to the war and served until its close, participating in the battles of Spottsylvania, Petersburg and other engagements. In 1865 he entered the Albany Law School and received his degree in 1867. He removed the same year to Lewis, Iowa, and began the practice of law. When the county seat was changed to Atlantic he removed to that town, continuing the practice of his profession there. In 1893 he was elected to the legislature and represented the Cass-Shelby District as Senator in the Twenty-fifth, Twenty-sixth and Twenty-seventh Extra General Assemblies. In 1897 President McKinley appointed him consul to Crefeld, Germany, which position he filled for four years. Soon after his return to the United States he removed to Hollywood, California, where he maintained his residence until his death.

HENRY LOUIS BOUSQUET was born in Amsterdam, Holland, February 14, 1840; he died at Des Moines, July 23, 1913. When nine years of age he emigrated with his father's family to America and located with the Holland colony at Pella, Iowa. He was educated in the public schools and attended Central University for two years. He engaged in mercantile pursuits until July, 1862, when he enlisted in Company G, Thirty-third Volunteer Infantry. In 1864 he was transferred to the Fourth Arkansas Cavalry and was commissioned First Lieutenant and Regimental Quartermaster. At the close of the war he returned to Pella and was elected county clerk of Marion county and held office four years. He then became assistant cashier of the Pella National Bank. In 1884 he removed to Knoxville and engaged in the mercantile business. In 1903 he was appointed deputy clerk of the supreme court. John C. Crockett, clerk, resigned in 1908. Mr. Bousquet succeeded him as clerk and was re-elected for another term. Thereafter he remained an assistant in that office.

THOMAS STIVERS was born in Pomeroy, Ohio, September 4, 1848; he died at Burlington, Iowa, September 9, 1913. He received his education in the public schools of his native city. At the age of sixteen he entered a newspaper office where he familiarized himself

thoroughly with all departments of the business. From 1870 to 1884 he was in newspaper work in Atchison, Kansas, as city editor of the *Atchison Champion* and owner of the *Atchison Patriot*. After disposing of his newspaper interests in Atchison he lived for three years in Leavenworth where he built a street railway line. In 1887 he removed to Burlington and purchased the *Burlington Gazette*, which had been established in 1837. His brother, Henry Stivers, who was associated with him withdrew at the end of the first year and from that time until his death, Mr. Stivers remained sole owner of that publication, giving his personal attention to its management, endeavoring to make it a publication for the people. He was a life-long Democrat and active in politics, interested in the development of his city and energetic and enthusiastic in every cause undertaken by him.

JOHN STILLMAN LOTHROP was born in Dover, Maine, October 9, 1836; he died at Sioux City, Iowa, July 1, 1913. He was educated in the common schools of his native town. In 1852 he removed with his father's family to Illinois where he spent seven years on a farm. He entered the Chicago Law School and received his legal education from Prof. Henry Booth. At the outbreak of the Civil War he enlisted in Company I, Eleventh Illinois Infantry, and at the expiration of his three months' service re-enlisted in Company E, Twenty-sixth Illinois Infantry and was promoted Captain. He participated in the battles of Fort Henry, Fort Donelson, Shiloh, Corinth and other engagements. After the close of the war he practiced law in Ottawa and Champaign, Illinois, until 1884, when he removed to Sioux City and continued his practice there. He was a Republican in politics and was appointed by President Harrison Collector of United States Internal Revenues for the Third Iowa District. He represented Woodbury county in the Senate of the Twenty-sixth, Twenty-sixth Extra and Twenty-seventh General Assemblies.

BENJAMIN F. KEABLES was born in Elba, Genesee county, New York, November 30, 1828; he died at Pella, Iowa, May 8, 1911. He removed when a child with his parents to Michigan and then to Illinois, where he engaged in school teaching, and in his spare moments studying medicine. In 1850 he went to Keokuk to attend medical lectures and pursue his studies. He later graduated from the Rush Medical College in Chicago. In 1852 he removed to Pella and continued in the practice of medicine in that city until a short time prior to his death. In 1862 he enlisted as assistant surgeon in the Third Iowa Volunteer Infantry, was soon promoted to surgeon and held this position until the regiment was mustered out in 1864. He represented Marion county in the House of the Thirteenth and Fourteenth General Assemblies. He took a very deep interest in the upbuilding of his town, especially along educational lines, serving for many years as a member of the school board and of the board of trustees of Central University.

CHRISTIAN HEDGES was born in Richland county, Ohio, May 3, 1830; he died at Marengo, Iowa, February 26, 1913. Though his early years were spent on a farm, he received a good academic education and later graduated from the Cincinnati Law School. He commenced the practice of law at Mansfield, Ohio, but went to California during the gold excitement in 1849, and remained there ten

years. He returned east and located in Marengo, Iowa, where he continued the practice of law, ranking as the oldest lawyer in Iowa county at the time of his death. At the outbreak of the Civil War he recruited Company G, Seventh Iowa Infantry, was elected Captain and served until near the close of the war. He was elected Senator from Iowa county to the Eighteenth General Assembly, and before the expiration of the term was elected circuit judge of the Eighth District, holding that position from 1881 to 1886.

JOSEPH HAMILTON PRESTON was born in Benton Center, Yates county, New York, July 9, 1838; he died at Cedar Rapids, Iowa, July 29, 1913. His parents removed with their family to Marion, Iowa, in 1842, and he attended the public schools of Marion and also Cornell College, Mt. Vernon. He graduated from the Union Law School of Cleveland, Ohio, in 1860 with the degree of LL.B. and upon admission to the Iowa bar, engaged in practice with his father at Marion for eight years. In 1869 he removed to Waterloo and continued in practice there until 1881 when he removed to Cedar Rapids where he maintained his home until his death. He was elected district attorney for the Eighth Judicial District and later judge for the same district. In 1886 he was elected judge of the Eighteenth Judicial District and, held the office until 1894 when he resigned from the bench to re-enter private practice. He was a prominent member of the Iowa bar for over fifty years.

LEWIS FORDYCE was born in Wabash county, Illinois, November 5, 1830; he died at his home near Libertyville, March 24, 1912. He came with his parents to Iowa when a youth of seventeen, and assisted his father in developing a farm in Lee county. In 1849 he moved to Van Buren county, residing there until 1873 when he secured a large farm in Jefferson county and made his home there. For thirty-five years in his early life he was engaged in the ministry, extending his labors throughout Missouri and southeastern Iowa, and for the same number of years was secretary of the State Association of the Christian Church. He was one of the organizers of the Republican party in Van Buren county, and represented that county in the Fourth General Assembly. He also occupied a seat in the Twentieth General Assembly as a Representative from Jefferson county.

SAMUEL EWING MCKEE was born in Alleghany county, Pennsylvania, September 26, 1836; he died in Pittsburgh, Pennsylvania, June 27, 1913. He attended the common schools of his native county until able to teach for a few terms and earn sufficient to give him a course in Jefferson College. He graduated in 1851 and give him a course in Jefferson College. He graduated in 1851 he entered Alleghany Theological Seminary and graduated therefrom in 1856. The same year he came west and was employed for a number of years in various places as pastor, missionary and teacher. In 1873 he settled in Washington, Iowa, and became principal of the Washington Academy of which institution he was the main originator. His connection with this institution continued until 1896. He was known as one of the foremost educators of the State. The last years of his life were passed in his native State.

GUSTAV DIEDERICH was born in Minden, Province of Westphalia, Germany, March 14, 1845; he died at Frankfort on the Main, June 10, 1912. At the age of sixteen he emigrated to the United States and lived for a few years in New York City. In 1865 he removed to Davenport, Iowa, and in 1870 to Avoca, where he engaged in mercantile business. He was first president of the Pottawattamie County Fair Association and held that office for several years. He served three terms as mayor of Avoca. He was elected Representative from Pottawattamie county to the Twenty-fifth General Assembly and served on the committees on Ways and Means, Industrial Schools and Telegraph and Telephones. Mr. Diederich died while on a visit in Europe, and his remains were brought to Avoca for burial.

FRANCIS M. ESTES was born in Andrew county, Missouri, September 3, 1846; he died at Cement, Oklahoma, October 7, 1911. In 1859 he went with his father to Colorado where they located what is now known as Estes Park. He remained in Colorado until 1866, when he came to Fremont county, Iowa, making his home there until 1907. He was a successful farmer and stock raiser and took especial pride in his work of horticulturist. He was a Democrat in politics and represented his district in the Iowa House of Representatives in the Twenty-second and Twenty-third General Assemblies. He was an advocate of election reform and instrumental in passing the Australian ballot law through the Twenty-fourth General Assembly. In 1907 he removed to Cement, Oklahoma, where he engaged in banking, serving as president of three banks.

WILLIAM BREMNER was born in Scotland, May 21, 1831; he died at Iowa City, Iowa, August 29, 1911. His parents emigrated to the United States while he was an infant, making their home for a few years in New York and Massachusetts and finally settling in New Hampshire in 1839, where he grew to manhood. Mr. Bremner studied engineering and later law. He removed to Marshalltown, Iowa, in 1856 and formed a partnership with Hon. W. P. Hepburn, which was continued for a few years. Preferring outdoor life, he took up surveying and in 1865 was elected county surveyor, which position he held for forty-five years. He also held the position of city engineer of Marshalltown from 1863 until shortly before his death. He represented Marshall county in the Eighth and Eighth Extra General Assemblies.

JOSEPH A. KECK was born in Westmoreland county, Pennsylvania, December 7, 1827; he died in Seattle, Washington, February 6, 1913. In 1846 he removed with his parents to Van Buren county, Iowa, settling near Utica, on a farm, where he made his continuous home until 1910, when he removed to the Pacific coast. During the gold excitement in the early fifties he crossed the plains with an ox team, and passed a year in California. He was a Republican in politics and was chosen first president of the Fremont Voters' Club of his congressional district. He filled other positions of trust and responsibility and was for several years the president of the Van Buren County Agricultural Society. He was elected and served as a Representative in the Twenty-eighth General Assembly from Van Buren county.

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*Yours very truly
Alonzo H. Bennett*

ANNALS OF IOWA.

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8D SERIES

EARLY IOWA INDIAN TREATIES AND BOUNDARIES.

BY COL. ALONZO ABERNETHY.

From colonial times our Government has exercised the sole right of extinguishing Indian titles to land.

By the proclamation of the Colonial Congress of September 23, 1783, all persons were prohibited "from making settlements on land inhabited or claimed by Indians, without the limits of any particular State, and from purchasing or receiving any gift or cession of such lands or claims without the express authority and direction of the United States in Congress assembled."

This early policy has been maintained by the Government to the present time, except that the President, through his agents, has exercised the power of acquiring territory by treaty, first granted to Congress. Until 1871 Indian titles were extinguished only under the treaty-making clause of the Constitution, even though the tribe had been reduced to an insignificant band. Since then acquisitions of territory from the Indians have been made by simple agreements.

The Neutral Line in Iowa.

In 1825 the territorial governors in the West united in an effort to check the hostilities of two aggressive and warlike tribes in what is now northeastern Iowa. Gov. William Clark of St. Louis, Superintendent of Indian Affairs, and Gov. Lewis Cass of Detroit, came to Prairie du Chien and negotiated a treaty with various Indian tribes on August 19th of that year. This treaty contained a number of articles, but only the second and a portion of the eleventh had reference to Iowa territory.

Article 2 reads as follows:

It is agreed between the confederated Tribes of the Sacs and Foxes, and the Sioux, that the Line between their respective coun-

tries shall be as follows: Commencing at the mouth of the Upper Iowa River, on the west bank of the Mississippi, and ascending the said Iowa river, to its left fork; thence up that fork to its source; thence crossing the fork of Red Cedar river, in a direct line to the second or upper fork of the Desmoines river; and thence in a direct line to the lower fork of the Calumet river; and down that river to its juncture with the Missouri river. But the Yancton band of the Sioux tribe, being principally interested in the establishment of the line from the Forks of the Desmoines to the Missouri, and not being sufficiently represented to render the definitive establishment of that line proper, it is expressly declared that the line from the forks of the Desmoines to the forks of the Calumet river, and down that river to the Missouri, is not to be considered as settled until the assent of the Yancton band shall be given thereto. And if the said band should refuse their assent, the arrangement of that part of the boundary line shall be void, and the rights of the parties to the country bounded thereby, shall be the same as if no provision had been made for the extension of the line west of the forks of the Desmoines. And the Sacs and Foxes relinquish to the tribes interested therein, all their claim to land on the east side of the Mississippi river.¹

The last clause of the eleventh article adds:

It is agreed, however, that a Council shall be held with the Yancton band of the Sioux, during the year 1826, to explain to them the stipulations of this treaty, and to procure their assent thereto, should they be disposed to give it, and also with the Otoes, to settle and adjust their title to any of the country claimed by the Sacs, Foxes, and Ioways.²

The council of 1826 was never held to ratify the latter part of this treaty, but a similar one was agreed to five years later.

The imaginary line provided for in the above-named treaty did not prove to have the desired effect of restraining the hostile tendencies of these aggressive and lawless peoples, and so another council was arranged for at the same place, and held July 15, 1830.

The parties to this council were: Sauk and Fox, Medewakanton, Wahpekuta, Wahpeton and Sisseton bands of Sioux, Omaha, Iowa, Oto and Missouri.

The first three articles of the treaty adopted at this time are as follows:

¹Kappler's *Indian Affairs, Laws and Treaties*, v. II, p. 250.

²Kappler's *Indian Affairs, Laws and Treaties*, v. II, p. 253.

ART. I. The said Tribes cede and relinquish to the United States forever all their right and title to the lands lying within the following boundaries, to-wit: Beginning at the upper fork of the Desmoine River, and passing the sources of the Little Sioux, and Floyds Rivers, to the fork of the first creek which falls into the Big Sioux or Calumet on the east side; thence, down said creek, and Calumet River to the Missouri River; thence down said Missouri River to the Missouri State line, above the Kansas; thence along said line to the northwest corner of the said State, thence to the high lands between the waters falling into the Missouri and Desmoines, passing to said high lands along the dividing ridge between the forks of the Grand River; thence along said high lands or ridge separating the waters of the Missouri from those of the Desmoine, to a point opposite the source of Boyer River, and thence in a direct line to the upper fork of the Desmoine, the place of beginning. But it is understood that the lands ceded and relinquished by this Treaty, are to be assigned and allotted under the direction of the President of the United States, to the Tribes now living thereon, or to such other Tribes as the President may locate thereon for hunting, and other purposes.

ART. II. The confederated Tribes of the Sacs and Foxes, cede and relinquish to the United States forever, a tract of country twenty miles in width, from the Mississippi to the Desmoine; situate south, and adjoining the line between the said confederated Tribes of Sacs and Foxes, and the Sioux; as established by the second article of the Treaty of Prairie du Chien of the nineteenth of August one thousand eight hundred and twenty-five.

ART. III. The Medawah-Kanton, Wah-pa-coota, Wahpeton and Sisseton Bands of the Sioux cede and relinquish to the United States forever, a Tract of Country twenty miles in width, from the Mississippi to the Desmoine River, situate north, and adjoining the line mentioned in the preceding article.³

It was nearly two years, however, before the survey provided for by these two councils was commenced.

Survey of the Neutral Line.

Captain Nathan Boone was detailed for the purpose, and began the work April 19, 1832, at the initial point, the mouth of the Upper Iowa river, to locate first the dividing line between the Sacs and Foxes on the south and the Sioux on the north. The field notes indicate that the initial point of the main channel of the Upper Iowa and its confluence with the Mississippi was inaccessible. Probably the Mississippi at this

³Kappler's *Indian Affairs, Laws and Treaties*, v. II, p. 300.

point was then, as now, several miles wide, and that the waters of the smaller stream were merged into those of the larger before the middle of the main channel was reached. The initial point must have been near the middle of the west side of Township No. 100, Range No. 3, on the east side of Iowa Township, Allamakee county.

The meandered line from this point to the left fork of the Upper Iowa was 40 miles and 17 chains; but the actual distance was 21 miles, and the direction S. 62° 20' W. The fork named, the mouth of Trout creek, is in Section 9-98-7, Glenwood Township, Winneshiek county, about six miles below Decorah.

I visited the place several years ago, and found the 20 foot ledge of rock mentioned on the lower side of the fork as noted in the field notes.

The survey proceeded thence, S. 17° 15' E. to the source of this creek, in about Section 14-97-7, Franklin Township, Winneshiek county.

Captain Boone then ran what is called a random line, S. 70° 15' W. to the Des Moines river, and found that he was four miles and five chains above the fork named in the treaty, and again meandered from there down to the forks. The random line was 130 miles and 63 chains long; the true line, 133 miles and 43 chains. The direction was found to be S. 73° 15' W.

A post was planted here on the east side of the Des Moines river at high water mark. Two witness trees were marked, one, a red elm, two feet in diameter, 3.41 chains distant, bearing N. 69° W.; the other, a red elm, one foot in diameter, 9.34 chains distant, bearing S. 78° E., standing on the southwest side of a natural mound 40 to 50 feet wide and 10 feet high.

This mound is said to be standing there yet as described. The point is probably in Section 19-91-28, in or near Dakotah, in Humboldt county.

Survey of the Sioux 20 Mile Cession of The Neutral Ground.

Having established this original dividing line between the two tribes, Captain Boone next proceeded to survey the Sioux

20 mile cession, by meandering the Des Moines river along the east side the required distance to a point in or near Section 35-94-31, in the southeast corner of Palo Alto county.

The length of the meander was 25 miles and 66 chains; that of the true line, 20 miles from the base.

When this point had been marked, the survey of the north side was run parallel to the dividing line 127 miles, where the corner was established opposite the source of the Upper Iowa river. Each mile of this line was witnessed by burying a cylinder of charcoal at the bottom of a stake, and marking witness trees when in the timber.

The location of this line is easily identified by the distances noted between the various streams crossed, and especially by the fact that it skirted the north side of the lake since named Clear Lake in Cerro Gordo county. The east end of this line was probably in Section 32-100-10, in Fremont township, Winneshiek county. The party stopped here several days and ran a line across to the fork of the Iowa to prove the work.

The survey then turned N. 17° 15' W. and ran 5½ miles. At 2 miles and 3 chains they crossed the Upper Iowa, 125 links wide, and followed up that stream 2 miles and 56 chains, where another corner was established. This point is probably in Section 6-100-10, in Minnesota, just across the line from the northwest corner of Winneshiek county.

At this point the line turned N. 62° 20' E. to the Mississippi river, crossing several small creeks and Root river on the 38th mile, and reaching the Mississippi about four miles above the mouth of Root river. This line was 44½ miles long.

A line was then meandered down on the west side of the Mississippi to the mouth of the Upper Iowa, where the survey started, 21 miles and 52 chains by the meander. This part of the survey was completed June 19, 1832.

Survey of the Sac and Fox Cession of The Neutral Ground.

Captain Boone proceeded next to survey the remaining tract. He meandered the river down 20 miles further, the meandered length being 37 miles and 70.50 chains, and es-

tablished the corner at a noted Indian rock about 200 feet in height, facing the river. This conspicuous cliff was known as "Painted Rock", and its location as the southeast corner of the Neutral Ground seems clearly verified by the following excerpt:

And this brings us to the question of the "Painted Rock," on section 3, in Fairview township. On the face of a bold cliff, facing the river, and some half way up the bluff, was at some time painted the figure of an animal, and the word "Tiger," with some names and other symbols. Judge Murdock said the painting was there in 1843, and looked ancient at that time; and as far as we have been able to ascertain, the question of when or why it was put there, or by whom, has ever been a matter of speculation without a satisfactory answer. From various facts it is very evident that this was the point at which the southern boundary line of the neutral ground of 1830 touched the river, one of the proofs of which is as follows: At the session of the County Commissioners of Clayton County, held April 4, 1844, the boundaries of various election precincts were defined, and one precinct was established as follows: "Yellow River precinct (No. 4), commencing at the Painted Rock on the Mississippi River; thence down said river to the corner of township ninety-five, range three, west of the fifth principal meridian; thence down said river two miles, thence due west on section line to the west side of township ninety-five, range four, west; thence north to the neutral line; thence following said line to the place of commencing, at Painted Rock." This fact being established, what more remarkable to suppose than that the authorities at Prairie du Chien should cause this prominent cliff—this natural "bulletin-board" as it were—to be so plainly marked as to designate the boundary line in a manner not to be mistaken by the natives; and what more natural than that the subordinates who performed the duty should decorate the rock with representations of wild animals and strange figures, the more readily to attract the attention of the Sioux hunting expeditions as they descended the river in their canoes and warn them that they had reached the limit of the hunting grounds permitted to them. Neither is it strange that they should take the opportunity of placing their own names where they might become famous, though they have long since become illegible.*

A permanent marker could doubtless even yet be placed, showing very nearly if not the precise location of this southeast corner of the Neutral Ground, from the description of the field notes, as follows:

*Alexander's *History of Winneshiek and Allamakee Counties*, pp. 369-70.

Here planted a stake from which a white oak, 16 inches in diameter, bears N. 27° E. 186 links distant, marked thus, "U. S.," and a hickory, 12 inches in diameter, bears S. 63° E. 29 links distant, with a blaze and notch over it, and a white oak, 14 inches in diameter, bears S. 28° W. 240 links distant. From this corner *a very noted rock* of about 200 ft. in height bears N. 31° W. 540 links distant.

It is doubtful if either of the three tree markers will be found standing, but the Painted Rock probably remains.

Having established this corner, Captain Boone proceeded to locate the south line parallel to the two already established, taking the course S. 62° 20' W., and got far enough to plant the two-mile post, when his record closes with the following statement: "discontinued on account of hostilities of the Indians."

The specific nature of the hostilities which induced him to stop the survey at this point is not stated. They were doubtless sufficient to warn him that it was not safe to proceed further with his work at that time.

The survey, however, was resumed and completed the same autumn by Captain James Craig, who began where Captain Boone left off, running 19 miles farther out, where he established and marked this corner, probably in Section 22-95-6, thence S. 17° 15' E., 7 miles, crossing a bend of the Turkey river on the seventh mile, and placing the corner stake $2\frac{1}{2}$ chains from the east bank of the river. The line then crossed the river, running S. 73° 15' W. to the Des Moines river.

The field notes of this last run are very meager, mentioning the distance between principal streams only. The length of the line is given as 125 miles and 33 chains. This length seems quite evidently incorrect, since there is no point on the Des Moines river which is within ten miles of the distance named in the field notes. The point where this line reached the Des Moines river was probably near the northwest corner of section 15-87-27, in Webster township, Webster county.¹

The point, however, where the line reached the river can be determined quite accurately from other sources. In the first place the perpendicular distance from the neutral line should

¹Where notable landmarks in a survey do not agree with courses and distances given, the former prevail.—ED. ANNALS.

be about 20 miles. As a matter of fact the distance is greater than that.

Second, some notes of a trip up the Des Moines, in the summer of 1848, published in the ANNALS July, 1909, state that the south line of the neutral ground was in that immediate vicinity.⁶ The author writes of crossing the Boone, and that half a mile beyond was the farthest any settlement had been made, where Henry Lott had settled in the spring of 1846. Later he adds, "above Lott's two miles is the mouth of a creek," and, "one mile further up, at the foot of a steep hill 175 feet high is the line of the Neutral Land, the present location of the Winnebago tribe of Indians."

This places the line, in this writer's estimate, between five and six miles north of the mouth of the Boone river, possibly in Section 15-87-27, Webster township, Webster county.

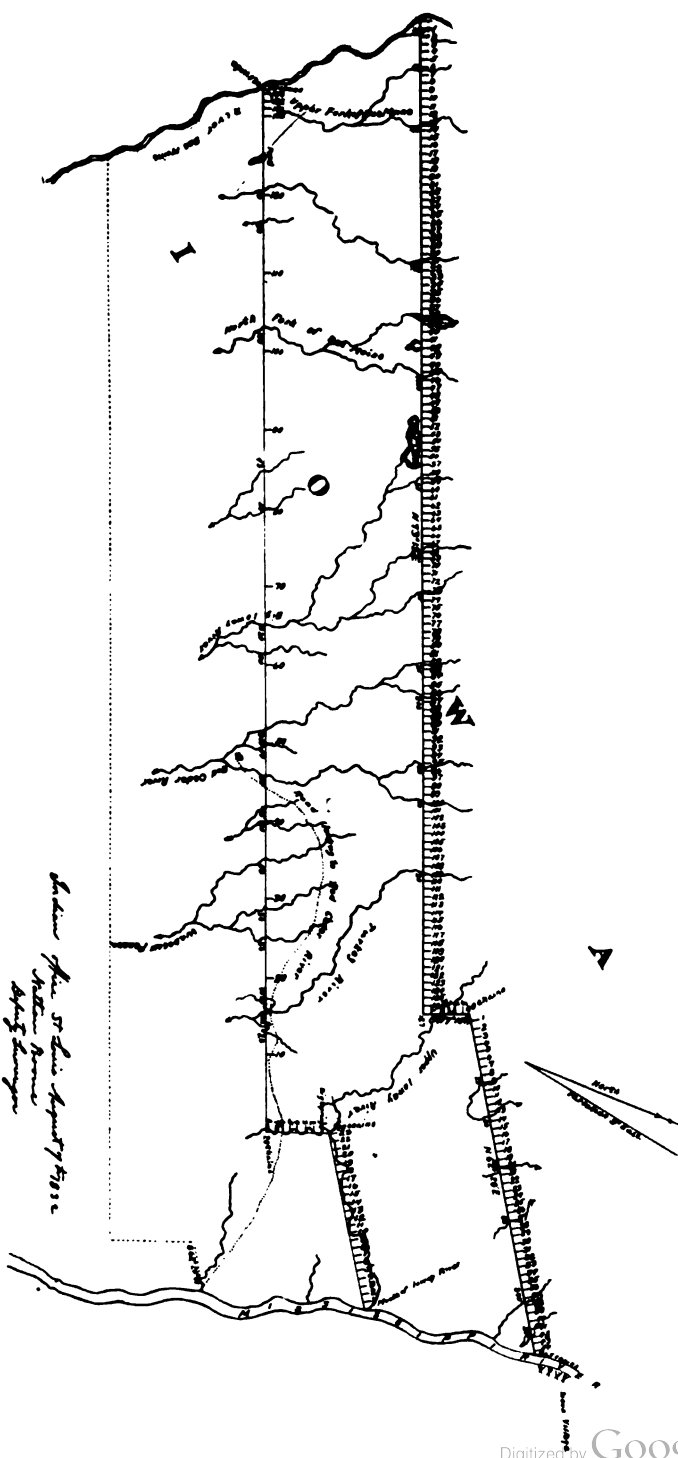
Third, the line passing up the river from this point is meandered, the meander following the river. The length of this meander is 37 miles and 70.50 chains. The diagram of this meander shows that there is but one place where the course of the river at all corresponds to the meandered line.

The Indians Surrender Claims to Western Iowa.

Returning to Article I, of the treaty of July 15, 1830, we find that these several tribes ceded all claim to what is now western Iowa. The line began at the upper forks of the Des Moines, thence passing the sources of the Little Sioux and the Floyd's rivers, down Rock and Big Sioux rivers, thence down the Missouri to the mouth of the Kansas river, thence up along the western and northern boundary of Missouri, at that time, to the highlands dividing the waters which flow into the Missouri and the Des Moines, thence northerly along said ridge to the source of the Boyer river, thence in a straight line to the place of beginning.

The northern part of this line was surveyed by James Craig in October, 1835. The line meandered the west fork of the Des Moines to near its source, 104½ miles, thence southwesterly to a point 134 miles and 5.50 chains from the

⁶*Annals of Iowa*, v. IX, pp. 96-97.



NEUTRAL GROUND—MAP REDUCED TWO-THIRDS.

The central line provided in the treaty of 1825 as the Neutral Line, and the northern line, were surveyed by Maj. Nathan Boone, and with the Mississippi and the Missouri rivers bound the Sioux cession of the Neutral ground. The southern line, established by James Clark, is the southern boundary of the same and Fox cession of the Neutral ground.

*Survey of the St. Louis Agency by
Nathan Boone
May 1825*
Scale of 8 miles to the inch.
Field Notes, No. 131A. 132.
Tab. No. 58.
Map No. 92.

place of beginning. Then commencing at the mouth of the Big Sioux and running up that stream to the first fork on the east side, Rock river, thence up that stream to a junction with the first line, 88 miles and 11 chains.*

Chippewa, Ottawa, and Pottawattamie Tribes Removed to Southwestern Iowa.

At a council held at Chicago, September 27, 1833, the above named tribes were removed from the western shore of Lake Michigan to a tract of 5,000,000 acres in southwestern Iowa, part of the tract surrendered by the Sacs and Foxes under Article I of the treaty of July 15, 1830.

Winnebagoes Removed to, and from the Neutral Ground.

Before the surveyors had completed their work of marking the boundary of the Neutral Ground, government officers had concluded another treaty, providing for the removal of a tribe of Winnebagoes from the east side of the Mississippi to the eastern half of this tract, namely, that part lying east of the Cedar river.

A council was held with the Winnebagoes from the Fox river and Green Bay territory, September 15, 1832, on the west side of the Mississippi, where Davenport now stands. This peaceable tribe was removed here and remained on the western part of the tract for about fifteen years, though as early as November 1, 1831, they were required to move their lodges twenty miles back from the river, and use the vacated territory for hunting purposes only. This order resulted in changing the Government Agency and the Mission House from Yellow River to Fort Atkinson.

Then, October 13, 1846, they were again induced to re-cede this territory, close up to the lines of which the whites were already crowding, in exchange for lands north of St. Peter river in Minnesota, and the last of them finally left the tract in June, 1848.

A number of surveyors were at once set to work along the southern boundary, to establish township lines and stake off quarter sections for the incoming horde of white settlers.

*The blue print of this survey is in the possession of the Historical Department of Iowa.

The Black Hawk Purchase.

A second council was held at the same place as the previous one, Sept. 21, 1832, with the Sacs and Foxes, which really opened the first tract in Iowa to white settlement.

Gen. Winfield Scott of the army, and Gov. John Reynolds of Illinois, were the Government's representatives in securing this cession.

The first two articles of the treaty were as follows:

ART. I. Accordingly, the confederated tribes of Sacs and Foxes hereby cede to the United States forever, all the lands to which the said tribes have title, or claim, (with the exception of the reservation hereinafter made,) included within the following bounds, to-wit: Beginning on the Mississippi river, at the point where the Sac and Fox northern boundary line, as established by the second article of the treaty of Prairie du Chien, of the fifteenth of July, one thousand eight hundred and thirty, strikes said river; thence, up said boundary line to a point fifty miles from the Mississippi, measured on said line; thence, in a right line to the nearest point on the Red Cedar of the Ioway, forty miles from the Mississippi river; thence, in a right line to a point in the northern boundary of the State of Missouri, fifty miles, measured on said boundary, from the Mississippi river; thence, by the last mentioned boundary to the Mississippi river, and by the western shore of said river to the place of beginning. * * * *

ART. II. Out of the cession made in the preceding article, the United States agree to a reservation for the use of the said confederated tribes, of a tract of land containing four hundred square miles, to be laid off under the directions of the President of the United States, from the boundary line crossing the Ioway river, in such manner that nearly an equal portion of the reservation may be on both sides of said river, and extending downwards, so as to include Ke-o-kuck's principal village on its right bank, which village is about twelve miles from the Mississippi river.⁷

This cession was required of the Sacs and Foxes as indemnity for the expenses of the Black Hawk war.

The tract was surveyed by Charles DeWard in October, 1835. Of the three points which determined the western boundary, the northern and southern were each to be fifty miles from the Mississippi measured respectively on the southern boundary of the Neutral Ground and the northern

⁷Kappler's *Indian Affairs, Laws and Treaties*, v. II, p. 349.

boundary of the State of Missouri. A middle point was to be on the Cedar river forty miles from the Mississippi.

Having determined this latter point, the survey probably began on the south boundary of the State at the specified distance, which was located 9.90 chains east of the 122d mile post of the northern boundary of Missouri; and when a re-survey of the Iowa-Missouri boundary was made in 1850, the range line between ranges 12 and 13 was found to be 17.55 chains east of the 121st mile boundary post. Therefore the southwest corner of the Black Hawk Purchase would be 9.90 chains less than one mile and 17.55 chains east of the 121st mile post; that is, one mile and 7.65 chains east of the southwest corner of Roscoe township, Davis county, in section 17-67-12.

Some one, possibly the authorities of Davis county, ought to place a permanent marker at this historic point, as it is one of the few points in these earliest surveys in our State, that can now be definitely located. Two others, at least, can probably be as precisely located; namely, that at the Painted Rock, and the one on the mound at the confluence of the forks of the Upper Des Moines, if not also two or three of those in Winneshiek county.

From this point the survey ran N. 28° E., 95 miles and 43.15 chains to the Red Cedar in or near section 18-81-4, in Linn township, Cedar county, about a mile east of the Johnson county line; thence N. 29° 16' W., 75 miles and 14.50 chains, to the south boundary of the Neutral Ground, in or near section 4-92-10, in Fremont township, Fayette county.

From this cession, however, a reservation was made, later called "Keokuk's Reservation," of a tract extending on either side of the Iowa river, down to within less than 10 miles of the Mississippi, about 10 miles wide, and supposed to contain 400 square miles, about half on each side of the Iowa river.

The survey of this tract began on the west line of the cession, about 13 miles below the 40 mile post on the Cedar, at about section 13-79-6, in Lucas township, Johnson county,

about two miles east of Iowa City. It ran 9 miles and 37.17 chains along that line, to about section 30-78-6, in Liberty township, Johnson county, thence S. 20° E., 42 miles and 30 chains to about section 34-72-3, in Yellow Springs township, Des Moines county, near the present town of Mediapolis; thence N. 28° W., 9 miles and 37.17 chains, crossing the Cedar about a mile from the end, which was in or near section 21-73-2, in Jefferson township, Louisa county; thence N. 20° E. to the starting point.

The Government blue print of this survey indicates the location of Keokuk's principal village at the south end of this reservation; Wapello's village, 8 or 10 miles farther up; and Poweshiek's village near the upper end of the reservation.

These Indians did not remain long in this reservation, as in the very nature of things, they could not. September 28, 1836, less than a year after the reservation had been surveyed, they re-ceded it to the Government, at a council held on the west bank of the Mississippi, opposite Rock Island. the Indians agreeing to remove by the first day of November.

This well-meaning and kindly effort to protect the interests of friendly Indians gives us at the present day a pathetic picture of its utter futility. What could these poor savages do, wedged into this narrow strip, when the white settlers were crowding up to their lines on every side, before the government surveyors could run even the township lines anywhere in the vicinity.

It was a full year after this before any government surveyors entered the Black Hawk Purchase, to lay off township lines, and more than three years before a land office was opened in Iowa. The Dubuque land office was opened November 5, 1838, and the Burlington office, November 19, the same year. Forty-eight townships were placed on sale at that time.

The Second Black Hawk Purchase.

The Sacs and Foxes surrendered another million and a quarter acres by a treaty made in Washington, D. C., October 21, 1837, as follows:

First. Of all right or interest in the country between the Missouri and Mississippi rivers and the boundary line between the Sac and Fox and the Sioux Indians, described in the second article of the treaty made with these and other tribes on the 19th of August, 1825, to the full extent to which said claim was recognized in the third article of said treaty; and of all interest or claim by virtue of the provisions of any treaties since made by the United States with the Sacs and Foxes.

Second. Of all right to locate, for hunting or other purposes, on the land ceded in the first article of the treaty of July 15th, 1830, which by the authority therein conferred on the President of the United States they may be permitted by him to enjoy.*

C. F. Larrabee, Acting Commissioner of Indian Affairs, in a letter dated Washington, D. C., March 23, 1906, says:

The western boundary of the *second Black Hawk Purchase*, referred to in the first article of the Sac and Fox treaty of October 21, 1837, was surveyed by Charles Bracken in the summer of 1839. He began at the junction of the two boundary lines of the first purchase located by Major Gordon in 1835 at the 40 mile post on the Red Cedar River, thence he ran west 25 miles and 51.1 chains where a mound was erected on the prairie on the bank of a branch, 10 feet square at the base and 8 feet high, thence he ran the first one of the western boundary lines N. 9° 57' W. 69 miles and 2.32 chains to the 50th mile post on the line of the neutral ground. The other line was run from said mound S. 13° 9' W. 87 miles and 40 chains to the 50th mile post on the Missouri state line.

This cession extended the area open to settlement to about section 14-81-9, in Lenox township, Iowa county, and a mile beyond the western boundary of Johnson county, and provided homes for nearly eight thousand more families with the regulation quarter section each. This remained the western limit of settlement for nearly five years.

Governor Dodge had ordered a census to be taken September, 1836, of the two counties organized west of the Mississippi, Des Moines and Dubuque, and his census takers had recorded the names of 10,531 residents already on this Black Hawk Purchase.

Territories of Michigan, Wisconsin and Iowa.

Thus far it was either the Territory of Michigan or the Territory of Wisconsin that was being opened up for settle-

*Kappler's *Indian Affairs, Laws and Treaties*, v. II, p. 497.

ment by the onrushing tide of immigrants inspired with zeal for homes in the western wilds. But on the 12th of June, 1838, less than a month after Governor Dodge's second census takers had enumerated 22,859 residents, Congress established the new *Territory of Iowa*, to take effect July 3 of that year.

Purchase of Central Iowa.

The first territorial governor of Iowa, Robert Lucas, had given place to Gov. John Chambers, when, October 11, 1842, the Governor met chiefs of the Sacs and Foxes at their agency on the Des Moines river, a few miles west of the border, and was finally able to convince them that Iowa would no longer afford them hunting grounds suited to their needs; and a treaty was concluded, by which they ceded all their lands in Iowa to the Government. They were to vacate the eastern portion May 1, 1842, and the remainder October 11, 1845. The dividing line was to run due north and south from a noted Indian land mark, called Painted or Red Rocks, on the Des Moines river, to the Neutral Ground on the north, and south to the northern Missouri boundary.

The commissioner who ran this line, Mr. George W. Harrison, states that he expected to find the neutral line near the end of the 64th mile, but not finding it there after two days' searching, extended the line to the 68th mile, and still failed to find the said line. It would seem from later measurements on the map of Iowa that he must have crossed the line near the end of the 67th mile but was not able to find it.

This treaty and its survey is fully and interestingly described in the *ANNALS*, April, 1911, by Mr. C. C. Stiles, Superintendent of Public Archives,* with field notes and maps.

Removal of the Pottawattamies from Western Iowa.

As the time was approaching, October 11, 1846, for the final removal of the Sacs and Foxes, Col. Peter A. Sarpy, in charge of the Pottawattamies, Chippewa and Ottawa Agency at Trader's Point on the Missouri river in Mills county, held a council with their representatives, June 5 and 17, 1845,

**Annals of Iowa*, v. X, pp. 1-33.

and secured a treaty by which these tribes surrendered all claim to tracts north of the Missouri river and embraced in the limits of the Territory of Iowa.

Removal of the Sioux from Northern Iowa.

July 23, 1851, nearly five years after Iowa had been admitted to the Union as a State, a final council was held at Traverse des Sioux, Minn., at which these Indians surrendered all claims to lands in Iowa and the last of them departed for their hunting ground in the northwest during the summer of that year.

The Muskquaka Band of the Sac and Fox Indians.

In 1845-46, these Indians were removed to a new reservation in Kansas, but some of them, dissatisfied with their western home, returned to their old hunting grounds, and finally secured several hundred acres of land along the Iowa river in the western part of Tama county, where they remain to the present time, retaining many features of their old-time life and habits, an interesting relic of a by-gone age.

Some Still Earlier Concessions.

It may be worth while to make brief mention of two or three still earlier claims, made or granted, on territory now within the limits of our State.

The Dubuque Mines of Spain.

Julien Dubuque came to the lead mine district where the city of Dubuque now stands in 1788; and secured a concession to mine lead from Fox Indian chiefs of Prairie du Chien, for a tract extending from Catfish creek, below where the city of Dubuque now stands, to the little Maquoketa above. He also, it seems, claimed to have secured later, a concession from Baron de Carondelet, Spanish Governor of Louisiana Territory. He sold and willed his claim to others, however, before his death. After a half century's contest the claim was disallowed by the U. S. Supreme Court. He called the property the Mines of Spain. His death occurred in 1810 and he was buried on a bluff near the river.

The Half Breed Tract.

August 4, 1824, the Sacs and Foxes ceded 119,000 acres for the use of the half-breeds belonging to their nations, called the Half-breed Tract in Lee county, lying between the Mississippi and Des Moines rivers and a line corresponding to the extension of the north Missouri boundary to the Mississippi river. This line began near the southwest corner of section 7-67-7, on the Des Moines, and ended in section 4-67-4, within the present limits of Ft. Madison, Lee county.

The Antoine LeClaire Section.

When the Sacs and Foxes ceded the Black Hawk Purchase, they reserved, first, Keokuk's 400 square miles, and second, a one-section tract, where the city of Davenport now stands, for Antoine LeClaire. He had been a great friend to them for many years. This concession was later approved by the government.

The first of the above tracts is fully described by the late M. M. Ham of Dubuque, in Vol. II, of the ANNALS, pp. 329-344.

The second is described in a very interesting paper by Mr. B. F. Wick of Cedar Rapids, with map, in Vol. VII of the ANNALS, pp. 16-29.

With the thought of placing before the students of this subject the actual facts so far as I have been able to gather them, I shall hereafter set out the field notes of the various lines with which I have dealt as the same have come to me from government authority.

FIELD NOTES.

Field Notes of the Neutral Line.¹⁰

Field Notes of Survey of the Lines between the Sioux and Sac and Fox Indians agreeable to the 2nd Article of the Treaty of Prairie du Chien August 19, 1825 (7 Stats., p. 272), run by Nathan Boone, commencing April 19, 1832.

After taking the variation of the compass and finding it to be 9° E., he began the Survey.

Beginning at a point inaccessible in the middle of the main channel of the Upper Iowa and its confluence with the Mississippi river, thence running up the Iowa river as follows:

¹⁰Furnished by Commissioner of Indian Affairs, Department of the Interior, Washington, D. C.

N. 82 W. 25 chains; S. 86 W. 10 chains; S. 54 W. 7 chains; N. 67 W. 5 chains; N. 75 W. 20 chains; N. 42 W. 13 chains (1 mile); N. 18 W. 25 chains; N. 43 W. 24 chains; N. 10 W. 18 chains; N. 28 W. 5 chains; S. 75 W. 8 chains (2 miles); S. 75 W. 12 chains; N. 45 W. 17 chains; S. 19 W. 42 chains; S. 82 W. 9 chains (3 miles); S. 69 W. 7 chains; S. 70 W. 21 chains; S. 46 W. 20 chains; S. 25 W. 12 chains; S. 79 W. 10 chains; S. 47 W. 10 chains (4th mile); S. 47 W. 68 chains; S. 4 E. 5 chains; S. 33 E. 7 chains (5th mile); S. 23 E. 5 chains; S. 51 W. 16 chains; S. 35 E. 12 chains; S. 35 W. 30 chains; S. 70 W. 10 chains; N. 60 W. 7 chains (6th mile); S. 60 W. 55 chains; S. 36 W. 15 chains; S. 60 W. 10 chains (7th mile); S. 38 W. 25 chains; S. 25 W. 15 chains; S. 46 W. 20 chains; S. 72 W. 20 chains (8th mile); S. 55 W. 36 chains; N. 20 W. 44 chains (9th mile); N. 20 W. 28 chains; N. 71 W. 20 chains; N. 33 W. 15 chains; S. 71 W. 17 chains (10th mile).

S. 71 W. 13 chains; S. 23 W. 25 chains; S. 39 W. 11 chains; S. 2 E. 23 chains; S. 28 W. 8 chains (11th mile); S. 45 W. 6 chains; S. 88 W. 35 chains; N. 68 W. 32 chains; N. 41 W. 7 chains (12th mile); N. 41 W. 23 chains; S. 69 W. 48 chains; S. 55 W. 9 chains (13th mile); S. 55 W. 6 chains; S. 42 W. 20 chains; S. 57 W. 54 chains (14th mile); S. 57 W. 5 chains; S. 78 W. 6 chains; N. 67 W. 14 chains; N. 61 W. 20 chains; S. 84 W. 10 chains; N. 83 W. 20 chains; N. 69 W. 5 chains; (15th mile); N. 49 W. 42 chains; S. 37 W. 38 chains (16th mile); S. 37 W. 27 chains; S. 67 W. 5 chains; N. 88 W. 38 chains; N. 50 W. 10 chains (17th mile); N. 50 W. 13 chains; N. 26 W. 44 chains; N. 74 W. 23 chains (18th mile); N. 74 W. 12 chains; S. 20 W. 48 chains; N. 85 W. 12 chains; N. 56 W. 8 chains (19th mile); N. 56 W. 38 chains; S. 74 W. 12 chains; S. 8 W. 8 chains; S. 50 E. 6 chains; S. 23 E. 16 chains (20th mile).

S. 14 E. 15 chains; S. 2 W. 13 chains; S. 35 W. 11 chains; S. 53 W. 13 chains; S. 79 W. 10 chains; S. 48 W. 18 chains (21st mile); S. 48 W. 49 chains; S. 83 W. 6 chains; N. 50 W. 5 chains; N. 69 W. 20 chains (22nd mile); N. 69 W. 2 chains; North 42 chains; S. 80 W. 36 chains (23rd mile); S. 80 W. 80 chains (24th mile); S. 80 W. 9 chains; S. 32 E. 45 chains; East 26 chains (25th mile); East 30 chains; S. 12 E. 23 chains; South 25 chains; S. 63 W. 2 chains (26th mile); S. 63 W. 80 chains (27th mile); S. 63 W. 9 chains; S. 29 W. 25 chains; S. 21 E. 15 chains; S. 82 E. 31 chains (28th mile); S. 82 E. 31 chains; S. 25 E. 29 chains; S. 52 W. 20 chains (29th mile); S. 52 W. 49 chains; N. 66 W. 31 chains (30th mile).

N. 66 W. 24 chains; N. 14 W. 56 chains (31st mile); S. 83 W. 56 chains; S. 36 W. 9 chains; S. 18 E. 15 chains (32nd mile); S. 18 E. 28 chains; S. 50 W. 22 chains; S. 73 W. 30 chains (33rd mile); S. 73 W. 10 chains; S. 55 E. 60 chains; S. 10 E. 10 chains (34th mile); S. 10 E. 14 chains; S. 30 W. 20 chains; S. 64 W. 25 chains;

S. 58 W. 8 chains; S. 70 W. 13 chains (35th mile); S. 81 W. 32 chains; S. 20 W. 20 chains; S. 88 W. 28 chains (36th mile); S. 88 W. 32 chains; S. 38 W. 21 chains; S. 29 E. 4 chains; S. 42 E. 23 chains (37th mile); S. 42 E. 3 chains; S. 22 E. 6 chains; N. 83 W. 10 chains; N. 59 W. 9 chains; N. 55 W. 21 chains; N. 38 W. 18 chains; S. 17 W. 6 chains; S. 15 W. 7 chains (38th mile); S. 15 W. 18 chains; S. 50 W. 13 chains; S. 72 W. 49 chains (39th mile); S. 72 W. 18 chains; S. 8 W. 14 chains; S. 15 E. 10 chains; S. 13 W. 28 chains (40th mile).

S. 13 W. 12 chains; S. 25 W. 5 chains; to a branch 50 links wide, puts in from the South East. The Left Hand Fork of the Iowa River.

This fork being 40 miles and 17 chains from the mouth of the Iowa River by its meanders. On the lower side of the fork is a cliff about 20 feet high. Immediately in the forks stand 3 elm trees within a few feet of each other. I ascertained this to be the Fork mentioned in the 2nd article of the treaty of August 19, 1825, by the road leading from Prairie du Chien to the Red Cedar crossing it as the only fork or branch of the Iowa River that the road crosses.

Thence proceeded up said left hand fork S. 20 W. 55 chains; S. 5 E. 25 chains (1st mile from the forks); S. 5 E. 65 chains; S. 22 E. 15 chains (2nd mile); S. 22 E. 80 chains (3rd mile); S. 22 E. 20 chains; S. 9 W. 52 chains; S. 55 W. 8 chains (4th mile); S. 55 W. 22 chains; S. 30 W. 45 chains; S. 11 E. 13 chains (5th mile); S. 37 E. 20 chains; S. 24 E. 23 chains; S. 56 W. 23 chains; S. 42 E. 24 chains (6th mile); S. 42 E. 10 chains; S. 78 E. 19 chains; S. 43 E. 25 chains; S. 26 E. 26 chains (7th mile); S. 26 E. 42 chains; S. 52 E. 16 chains; here the trace leading from Prairie du Chien to Red Cedar crosses this fork 12 links wide; S. 58 E. 22 chains (8th mile); S. 58 E. 28 chains; S. 64 E. 52 chains (9th mile); S. 64 E. 18 chains; S. 19 E. 45 chains to the source of the left hand fork of the Iowa River where set a stake and raised a mound, being nine miles and 63 chains from the mouth of the said fork to its source.

From this point ran a random line S. 75 W., to strike the second or upper fork of the Des Moines River—ran this line 130 miles and 46 chains to the east bank of the second or upper fork of the Des Moines River 150 links wide running S.W. which was found to be 4 miles and 5 chains northerly of the said fork. Thence ran S. 15 E. 300 chains; S. 75 W. 165 chains; S. 15 E. 25 chains; S. 75 W. 96 chains to the upper or second fork of the Des Moines River—making the length of the random line equal to 133 miles 36 chains (the true line 133 miles 43 chains from the source of the left hand fork of the Upper Iowa River to the upper or second fork of the River Des Moines).

Here established a corner on the East Side and at the junction of said fork with the River Des Moines and planted a post in prairie at highwater mark, from which a red elm 24 in. in diam. bears N.

69 W. 341 links distant standing on the east side of said fork marked U. S. A red elm 12 in. in diam. bears S. 78 E. 934 links distant standing on the east bank of the River Des Moines and on the S.W. side of a natural mound of from 40 to 50 feet in width at base and 10 ft. in height. Immediately opposite this tree and mound is the head or upper point of an island the main channel of the river passes on the east side of the island. The last mentioned bearing tree is marked U. S.

The true line from this point to the head of the left hand fork of the Iowa River is N. 73° 15' E.

(To be continued in April number.)

Burlington I. T., April 6, 1839.

It is a source of the pleasure to inform our eastern readers that our prairies are in many places covered with a mantle of green, bespangled with the most beautiful flowers. The cattle have forsaken the barn-yard and are now satisfied with the tender grass.

Our farmers have sowed their spring wheat, oats and flax, and are preparing their ground for corn, potatoes, and other productions. The wheat sown last fall looks well, and we have no doubt our farmers will have an abundant crop. Since the opening of navigation our lovely little village has been thronged with travellers and emigrants. The tide of emigration is so great to this place, that it is almost impossible to procure houses to accommodate them, although our carpenters are busily engaged in putting up buildings, yet still, they are filled as fast as erected, and the demand appears to increase.

Many houses have already been built this spring and several others are in a considerable state of forwardness but the demand is so great that it would require some six or eight houses to be completed weekly to supply the wants of the emigrants.

The beauty and healthfulness of the country around Rock Island, together with its fertility holds out sufficient inducements to the industrious mechanic and agriculturalist to locate in this healthy and fertile region even if they should experience a little inconvenience on their first arrival.—*Iowa Sun*, Davenport, April 17, 1839.

ATTEMPTED LYNCHINGS IN IOWA.¹

BY PAUL WALTON BLACK.

In this paper an attempt has been made to set forth the various attempted lynchings in Iowa in such a way as to be of value to the students of history and sociology. In doing this a brief history of the various cases has been given, followed by a critical analysis and interpretation of them, and closing with a chronological list of the cases with a short history of each.

It is probably true that some of the cases of attempted lynching have not been discovered by the writer, but it is believed that the investigation has resulted in obtaining approximately all of them. It is certainly true that enough of them have been discovered to make the conclusions drawn from the analysis practically the same as if it were known that all of them had been discovered.

The phenomenon of lynching is distinctively American and probably had its origin in the United States in the latter part of the eighteenth century.² Other countries have had mob violence, but the mobs of other countries have not exercised the same correctional power over offenders as the mobs in the United States.

The term Lynch Law has been so broad in its meaning as to include many kinds of punishment administered by a mob. The change in the content of the term has been characteristic of it in Iowa as elsewhere, and in order to get a definition that would include all the social phenomena which were at any time included in it, it was necessary to select a very broad statement of what could be termed a lynching. The best at-

¹A history of the lynchings in Iowa was given in *The Iowa Journal of History and Politics*, April, 1912, Vol. X, No. 2.

²Cutler's *Lynch Law* (1905), p. 39; Black's *Lynchings in Iowa* in *The Iowa Journal of History and Politics*, April, 1912, Vol. X, No. 2, p. 151.

tempt at defining it was found in the Ohio Laws of 1896.² Here a lynching is defined as follows:

Any collection of individuals assembled for any unlawful purpose intending to do damage or injury to anyone, or pretending to exercise correctional power over persons by violence, without authority of law, shall for the purpose of this act be regarded as a "mob" and any act of violence exercised by them upon the body of any person, shall constitute a lynching.

This very definitely defines a lynching. An attempted lynching would be any trial at accomplishing such violence as is defined in the above law which results in failure for any reason whatsoever. The cases enumerated in the chronological list have found place there because they were attempted lynchings according to this definition.

For data on the cases here given the writer searched through approximately all of the existing files of newspapers published in the State from 1834 to 1860, after which time the search was continued and confined to the files of the *Iowa State Register*, *Burlington Hawk-Eye*, and the *Iowa City Republican*. These files were found in the collections of the Historical Department of Iowa at Des Moines and The State Historical Society of Iowa at Iowa City and in various other libraries and newspaper offices in the central and eastern part of Iowa. Such other sources as the ANNALS OF IOWA, annals of counties, the *Iowa Biographical Series*, *The Iowa Journal of History and Politics*, county histories, etc., as well as correspondence with about three hundred persons who were acquainted with the facts relative to the various cases, were freely used in order that the cases might be justly presented.

To the persons included in the list of correspondence the writer is deeply indebted for much information that otherwise would have been unobtainable. Especially to Professor F. I. Herriott of Drake University, and Professor J. L. Gilin, previously of the State University of Iowa, now of the University of Wisconsin, is he indebted for encouragement and helpful criticism.

²Cutler's *Lynch Law* (1905), pp. 236, 237, where there is a quotation from 92 Ohio Laws 136, and a reference to 93 Ohio Laws 161, sections 4426-4 to 4426-14 of the *Revised Statutes*, and 93 Ohio Laws 411, sections 5908 of Title I, Part Fourth, *Revised Statutes, Crimes and Offenses*; Black's *Lynchings in Iowa in The Iowa Journal of History and Politics*, April, 1912, Vol. X, No. 2, pp. 151, 152.

In a number of cases the names of the persons who were objects of attempted lynchings could not be found, and where this occurred blank spaces have been left to indicate the fact in the chronological list of the cases. In other cases the exact place and time of occurrence could not be found, and where this difficulty was encountered the internal evidence was used, where there was any, to define the place and time, and where there was no evidence as to the time and place an arbitrary arrangement in the chronological list was necessary.

With the opening of the Black Hawk Purchase in 1833 a large influx of immigrants began in that part of the present State of Iowa lying north of the Des Moines river and directly west of the Mississippi, a tract of land about fifty miles wide reaching as far north as Clayton county. The majority of the very early immigrants came from the South. After a short time other districts of the United States contributed in larger proportions. It was long after the State was admitted to the Union that the native-born gained the majority. A statistical analysis of the census reports will show a very complex population in the early part of Iowa history and with this fact in mind the student of sociology is not surprised at the large amount of such crime as lynching in the State.

Those who came to Iowa in the early immigration movement were rugged, aggressive people whose home life previous had been in the less favorable districts of the United States for obtaining subsistence, and as a result they were constantly used to doing things for themselves and not waiting for the slow arm of the law to effect them. Coming from the rough and broken districts of the South and the eastern parts of the United States, they naturally settled along the rivers and streams in Iowa where fuel, water, and protection were near at hand. Considering the prairies as unfertile because no trees grew on them, the wooded region was more attractive and became settled first. This fact brought the district in which crime was committed within the rougher districts for the most part. More than that, criminals could

commit crime and escape justice easier in the wooded districts than in any other, and for this reason, together with many other contributory ones, the crime districts of Iowa in the early days were confined largely to these wooded districts. The same environment favorable to crime lent facility to lynchings, and as a result the lynchings were likewise more frequent here than elsewhere.

So far as this investigation has been able to disclose, there have been at least sixty-eight attempted lynchings in Iowa. These have not been evenly distributed over the time space from 1834 to 1912, but if one glances at the chronological description of these cases he will see that they have been becoming increasingly prevalent if an absolute number basis is taken for a comparison. On the other hand if one compares the attempted lynchings of recent times with those of the early period on a per capita basis he will find that they are becoming less frequent.

The causes for the attempted lynchings may be classed as direct and indirect. The direct causes were the occasions for the attempts and the indirect causes were the conditions of the environment that were favorable to lynching. Of the direct causes there were political, economic, and social ones. The largest number of these were social, of which murder was the most frequent. It occurred more than thirty times. Of all the cases that could be definitely located it was found that fifty-three per cent of them occurred in wooded districts. This fact shows that probably the environment added much indirectly to the cases of attempted lynching. This fact when considered along with the fact that the districts were populated with a large Southern element coming from the less favorable districts of the South, adds something towards the explanation of the lynching phenomenon.

It was found that the months of the year when the most of the attempted lynchings occurred were April and July. If the time of occurrence is charted it will be seen that the general tendency is for the attempts to increase with the general rise in temperature, reaching the highest mark in July.

A statistical analysis of the day of the week on which the different attempts occurred, showed a marked tendency to approach a maximum on Wednesday and on Saturday. This varied from the curve representing the lynchings in that they tended to occur most often at the last of the week.* A possible explanation may suggest itself in the economic conditions which make attempted crimes and especially lynchings more easily successful at the close of the week when the work of the week is done and crowds gathered in the towns for trading and social intercourse.

An investigation into the time of day when the attempted lynchings occurred showed that they were most frequent in the night when rapid fulfillment of plans and escape of detection were possible.

The causes of failure to accomplish the purpose of the mob gatherings are varied. Many failed on account of the efficiency of the police force and the strength of the jails, others by the escape of the victim and lack of mob leadership, and still others by the compliance of the intended victim with the demands of the mob.

The mobs that attempted to lynch in Iowa varied in size, but so far as estimates could be obtained they showed an average of more than three hundred per mob.

The mob composition has been varied. Some were composed of liquor men, some of farmers with no organization behind them, some were composed of Vigilantes and Regulators, and still others of various elements.

Other indirect causes might be mentioned, among which are "yellow journalism," inadequacy of the courts, etc. Such causes have added to the mob excitement and the degree of openness, with which they acted. The participants have reverted to the primitive instincts and allowed conditions adverse to self-preservation to draw them into actions impossible in calmer moments.

*Black's *Lynchings in Iowa* in *The Iowa Journal of History and Politics*, April, 1912, Vol. X, No. 2, p. 162.

A DESCRIPTION OF THE VARIOUS ATTEMPTED LYNCHINGS IN IOWA,
CHRONOLOGICALLY ARRANGED.

Patrick Brennan.—“A Mr. John O’Morra was knocked on the head with a club while sky-larking, as they called it, by Patrick Brennan—rather rough playing as the poor man died immediately. The officers of the lynch law turned out to arrest the offender, but he had made his escape.”*

G. W. Hayes, Jefferson County.—One of the early claim holders in Jefferson county was G. W. Hayes. He laid claim to a much larger tract of land than was usual for a settler, and when his neighbors remonstrated with him he remained obstinate, refusing to give up any of it and went to Fairfield to enter his claim. While he was away a mob came to his house, thinking he was at home, and attempted to frighten him out by shooting holes in his house. His wife, being the only one at home, was badly frightened and was able with much difficulty to persuade the mob that her husband had gone to Fairfield to enter the claim.⁹

G. W. Hayes, Jefferson County.—At another time the mob came to the home of G. W. Hayes and placed a board over the chimney and attempted to smoke him out but they failed in this also. Hayes persuaded them that he had sufficient evidence to convict them in court and they ceased to molest him.⁹

Patrick O’Connor, Dubuque County, May 19, 1834.—This same Patrick O’Connor who was mentioned in the article on *Lynchings in Iowa*⁹ was the object of an attempted lynching on May 19, 1834. This mob action occurred just after the murder of George O’Keaf when the people were highly excited by the news of the murder. The more conservative members of the mob persuaded them to desist and allow the man a fair trial.⁹

⁹Langworthy's *Dubuque: Its History, Mines, Indian Legends, etc.*, in *The Iowa Journal of History and Politics*, Vol. VIII, No. 3, 1910, p. 391.

⁹Correspondence of the writer.

⁹Correspondence of the writer.

⁹Mill's *Story of the Earliest Hanging in Iowa* in *The Register and Leader* (Des Moines), September 25, 1910.

⁹*The History of Polk County, Iowa* (Union Historical Company, Des Moines, 1880), p. 518; Porter's *Annals of Polk County, Iowa, and the City of Des Moines* (1898), pp. 504, 505.

The Reeves family, Polk County.—The Reeves family was suspected of being connected with the gang of horse thieves that were doing so much work in Polk county, and a mob of citizens went to the Reeves home and gave them orders to leave the country under penalty of severe punishment if they refused to go. Then the family moved to Fort Des Moines from their home in Linn Grove on the North River. There were two old men and several grown sons in the Reeves family."

The Reeves family, Polk County.—The Reeves family had not lived in Fort Des Moines long when Cameron Reeves killed James Phipps. The citizens of North River heard of it, and fearing that some trouble would arise over it they took upon themselves the trouble of forcing them again to move. Cameron had been placed in jail at Oskaloosa, so he escaped the visit of the mob. The remaining family were visited one day by about sixty men and were again told to leave the country. When the mob was approaching, Presley Reeves saw them and thought that he would make a run for liberty, and started across a corn field. He was captured in a short time and brought back. The mob forced them to load all their possessions on wagons and leave. After their departure they seem to have made a better record, as Cameron became a prominent man in Omaha and served as sheriff for several years."

Harvey Leonard," — — —, Scott County, September 5, 1855.—"We learn from the *Davenport Gazette* that a mob of Germans, armed with pitchforks, and old muskets and revolvers, made a demonstration upon the office of a Justice of the Peace in that city, on Wednesday last, to recover possession of some liquor seized and deposited there under the liquor law. Four of the ringleaders of the crowd were ar-

¹⁰*The History of Polk County, Iowa* (Union Historical Company, Des Moines, 1880), pp. 518, 519; *Porter's Annals of Polk County, Iowa and the City of Des Moines* (1898), pp. 505-507.

¹¹*The History of Polk County, Iowa* (Union Historical Company, Des Moines, 1880), pp. 518, 519; *Porter's Annals of Polk County, Iowa, and the City of Des Moines* (1898), pp. 505-507.

¹²The account of this case does not give the name of the sheriff or deputy sheriff, and it is assumed that Harvey Leonard was the first man since he was sheriff at that time. The name of the deputy could not be found. See Downer's *History of Davenport and Scott County, Iowa* (1910), p. 559.

rested, not, however, without stout resistance, in which the sheriff was severely pounded over the head with a club, and his assistant shot in the side.

"The Anti-Temperance ticket was successful in that county at the late election and hence these 'first fruits' of the Locofoco Liquor triumph."¹²

Richard Custer, Washington County, April 15, 1856.—A sturdy blacksmith of Marion township, Washington county, named Richard Custer, was accused of adultery and the spirit ran so high that a lynching party was organized. Probably about fifteen men went to his home on the night of April 15, 1856, at ten o'clock, and attacked the house. Custer defended himself and shot John Deweese and killed him. Deweese was the mob leader, and when he fell, Custer made his escape in the confusion and the mob were unable to find him when they had regained their self-control.¹³

Isaac Ridgway, Poweshiek County, 1857.—Isaac Ridgway was the father-in-law of William B. Thomas who was lynched in Poweshiek county in 1857. The Ridgway family had made a bad record in the county and surrounding country and the citizens finally decided to rid the country of them. In the spring of 1857 a mob came to the Ridgway home and gave them orders to leave the country within ten days. In the ten days' time allowed, Isaac went to Des Moines and, before Judge W. H. McHenry, filed information against eight or ten of them. These men were brought up and examined before the Mayor of Des Moines and after a time were discharged. Those who had been thus brought up then charged Ridgway with perjury and had him brought before a justice of the peace. Ridgway was allowed to give bail and it was purposely arranged that as many of his family as possible should have their names attached to the bond, for they knew that this would be the last of Ridgway. As soon as Ridgway was released on this bond, he and his whole family left the country.¹⁴

¹²*The Daily Gate City* (Keokuk), September 11, 1855; *Daily Journal* (Muscatine), September 13, 1855; and the *Des Moines Valley Whig* (Keokuk), September 12, 1855.

¹³Correspondence of the writer.

¹⁴*Porter's Annals of Polk County, Iowa, and the City of Des Moines* (1898), pp. 512-515.

Canada McCullough, Cedar County, 1857.—As lynching in Cedar county became more frequent in 1857, some of the best citizens began to denounce it as a means of justice and to censure those who participated therein. Among those who thus denounced lynching was Canada McCullough, a wealthy farmer of Cedar county. The Regulators heard that he had been denouncing them and they gave him orders to leave the country. McCullough decided to remain in the country and defied their power to control his denunciations. He provided himself with three rifles for self-defense and made portholes in his cabin so that he might be ready for an attack. One day in 1857 the Regulators came up on horseback and stopped in front of his home. McCullough stepped to the door with a loaded rifle, ordered the leader to stop and make known his business. He was informed that he must cease denouncing the Regulators or leave the country at once. McCullough replied that he would do as he pleased about that and ordered the mob to withdraw or suffer the consequences. The mob knew that he was a sure shot and that he would defend himself with his life, and after a short parley they withdrew and did not molest him again. The Regulators were from Big Rock and they were well known by McCullough.¹⁸

John Pardee, Nat Pardee, Ben Pardee, Bart Pardee, Boone County, spring of 1857.—In the spring of 1857 the Pardee family, consisting of John, Nat, Ben, and Bart, were suspected of stealing and were ordered out of the country. They did not obey the orders and finally the farmers of Boone county attacked the house, but they found it well fortified. Being unable to get the Pardees out of the house in this manner, they tried burning them out. A wagon loaded with bundles of oats was prepared and rolled toward the house, and as it approached the bundles were lighted with fire. As they were about to cast the burning oats bundles on the house the Pardees opened fire and frustrated the attempt. One of the mob was killed and some others were wounded. After a parley they decided to wait until morning and then attack the house again, but when morning came the mob found that

¹⁸*The History of Cedar County with a History of Iowa* (Historical Publishing Company, Chicago, Cedar Rapids, 1901), Vol. I, pp. 369-371.

the Pardee family had left the country. The house not being watched closely during the night, the Pardees secretly escaped."

Henry Garrett," Jackson County, April 17," 1857.—The confession of Gifford to the murder of Ingles implicated David McDonald and Henry Garrett. Gifford said that these two men had hired him to kill Ingles. A mob gathered and after a short search found Henry Garrett. In order to get him to surrender, the mob had to promise him a fair trial in the courts. He had been so well fortified in his home that he could defy the mob, and they had to make this concession to get him without loss of life among themselves. The mob never intended to carry out their promise, but to make it appear that they did they turned him over to the officers, intending to get him later from them. The justice of the peace, Eleazer Mann, learned that the mob intended to lynch him, and he took his prisoner secretly out of the back door of the jail and transferred him to Davenport, going via Fulton and Bellevue. From Davenport he was again taken to Fort Madison for safe keeping. When the mob heard that he was transferred to Fort Madison they gave up hopes of getting him, but it was not until they had followed close upon the heels of the prisoner for some time that they ceased to follow him.²⁰

William B. Thomas, Poweshiek County, April 17, 1857.—William B. Thomas, alias "Comequick", when on trial at Montezuma for the murder of Mr. and Mrs. Casteel, came near being lynched on April 17, 1857, by a mob that collected because of the delay of the case in the court. The lynching was prevented by a strong guard force that had been placed about the court room. Judge Stone and others

¹⁹In *Days when Horse Thieves Had Way Stations Near Boone in The Register and Leader* (Des Moines), August 22, 1909; *The History of Boone County, Iowa* (Union Historical Company, Des Moines, 1880), pp. 471, 472; and correspondence of the writer.

²⁰Ellis says that the man's name was Jarrett.

²¹Ellis also says that the date was the day following the Gifford lynching which would be the 12th of April, but *The Washington Press* says it was on the Friday before the 22nd of April, which would be the 17th.

²²Ellis's *More About the Thrilling Crimes in Pioneer Days*, in the *Annals of Jackson County, Iowa*, No. 3, July-October, 1906, pp. 68-75; *The Washington Press*, April 22, 1857.

made addresses to the mob and finally succeeded in dispersing it. Thomas was lynched a little later.²¹

— — —, — — —, — — —, Cedar County, June, 1857.—About the 25th of June, 1857, a woman and two men were chased out of Cedar county because they had been suspected of harboring horse thieves. The Committee seems to have followed them as far as Burlington where they found that one of the men had gone through that place only a few hours in advance of the Committee. So far as has been learned, the mob did not catch any of them.²²

— — —, Jackson County, July, 1857.—Because the vigilance committee in Jackson county thought that the taxes were too high in one township, they met in July, 1857, and demanded that the assessor reduce them. The assessor was waited upon by the committee in order to force him to accede to their demands.²³

— — —, Jackson County, July, 1857.—A certain surveyor established a line in Jackson county that was not agreeable to a member of the vigilance committee, and he, too, was the object of the committee's visitation in July, 1857. As a result of this visitation the surveyor packed up his possessions and left the country.²⁴

— — —, — — —, Cedar County, July 31, 1857.—The organization of the "Law and Order" men did good work in Cedar county on July 31, 1857, when they prevented a mob from lynching two men they had taken from Mechanicsville.²⁵

J. W. Brown, Mahaska County, August 3, 1857.—On the night of the election in Oskaloosa, August 3, 1857, J. W. Brown, the editor of the *Herald*, and E. W. Rice sat talking in the office of the former, when about midnight a saloon keeper, Bowen, and his gang, came past. Brown and Bowen had difficulty in getting along peaceably with each other. Stopping under the office window they began to make threats

²¹*Des Moines Valley Whig* (Keokuk), May 20, 1857.

²²*The Daily Hawk-Eye* (Burlington), July 1, 1857.

²³*Muscatine Daily Journal*, July 17, 1857.

²⁴*Muscatine Daily Journal*, July 17, 1857.

²⁵*Quasqueton Guardian*, August 1, 1857.

upon the life of Brown, which were easily overheard within. As the threats became more violent, Brown armed himself and stood ready for defense. A few minutes later Bowen was heard to declare that he would head the gang and they would clear the office. As he started for the door, Brown called out to him to stop or suffer the consequences. Bowen reached the door and started to break it open, but was shot before he succeeded. He fell, mortally wounded, and the mob did not dare go further.²⁵

Leonard Brown, Polk County, 1860.—In 1860 Leonard Brown was prosecuting some saloon keepers in Des Moines and their anger was so aroused against him that they attempted to mob him. Brown escaped, however.²⁶

A. N. Marsh, Polk County, 1862.—The marshal of Des Moines, A. N. Marsh, in 1862, killed a man named King with whom he had had trouble and at the time was attempting to arrest. As soon as Marsh saw that his victim was dying he fled to his home and from thence to parts unknown. A mob pursued him, threatening to use summary vengeance if they were able to catch him.²⁷

— — —, Keokuk County, 1863.—The vigilance committee became aware that a thief was at work in Keokuk county some time in 1863, and they set about to catch and lynch him. The committee gathered at a school house one night and hitched their horses in the woods nearby. It is reported that while they were organizing within, the thief passed by, saw the horses and knowing what it meant, left the country. The mob was estimated at about a hundred men.²⁸

Benjamin McComb, Wapello County, August 31, 1864.—Benjamin McComb was on trial for a double murder in Ottumwa in 1864 and a mob, which grew irritated at the long proceedings in the courts, on August 31st, attempted to lynch

²⁵*The Daily Hawk-Eye* (Burlington), August 6, 1857.

²⁶Correspondence of the writer.

²⁷*Porter's Annals of Polk County, Iowa, and the City of Des Moines* (1898), pp. 521-524.

²⁸*The History of Keokuk County, Iowa* (Union Historical Company, Des Moines, 1880), p. 451.

him, but by doubling the guard force the officers were able to prevent it."³⁰

— — —, Poweshiek County, October, 1864.—Some officers were sent to arrest a number of Copperheads about fourteen miles south of Grinnell in October, 1864, and in making the arrest one of the officers was shot and mortally wounded. One of the Copperheads was also wounded and captured. He was taken to Grinnell where he came near being lynched by a mob."³¹

Emerson Reed, — Green, — Shields, Dubuque County, March, 1865.—Emerson Reed, Mr. Green, and Mr. Shields were arrested in Galena, Illinois, and brought to Dubuque for trial. They were met by a mob of about four hundred men crying "Hang them", but the prisoners were finally safely lodged in jail in spite of the mob efforts to lynch them."³²

James Madison Kibben, Henry County, April 16, 1865.—James Madison Kibben "was a Virginian and a Democrat and though at all times loyal to the Union he felt that the Civil War was brought about through the machinations of politicians and could have been avoided. He was kindly disposed toward the Southern people and while for the Union was not entirely friendly toward Lincoln.

"Mt. Pleasant was intensely loyal to both the Union cause and Abraham Lincoln, and Mr. Kibben's ideas were unpopular in the community. There had been murmurings against him and by some he had been stigmatized from time to time as a 'Copperhead'. Throughout the War some evidences of ill will had been shown the family. His daughter, Mary, was a teacher of mathematics in the college at Mount Pleasant. While there was no direct cause for it, the feeling was such that she resigned. The entire family withdrew from membership in the Methodist Episcopal church. Mrs. Kibben and her daughters afterwards returned, but Mr. Kibben did not.

³⁰*Daily Iowa State Register* (Des Moines), February 21, 1865.

³¹*Iowa City Republican* (Weekly), October 5, 1864.

³²*Dubuque Semi-Weekly Times*, March 10, 1865.

"During the War a stranger called at the house and tried to gain the confidence of Mr. Kibben and beguile him into expressions of sympathy with the Southern cause. It was always thought by the family that this man was a spy. Near the end of the War a son, Walter Kibben, resigned his position in Sanders & Kibben's bank because of the ill will growing out of the discussion of War subjects.

"In these matters the Kibben family were not so ill-used as some others in Mount Pleasant.

"No personal violence was suggested until the day after the assassination of Abraham Lincoln. Mr. Kibben had gone to the bank as usual and was sitting in the bank office when the news of the calamity came. In discussing it he said in the presence of quite a number that were assembled that, 'the country could not afford the loss at that time as well as it might at an earlier period.' This was misconstrued and misquoted by some person unknown, until in the words of the mob that assembled it was claimed that he had said that, 'it was too bad that it had not happened before'. One Wray Beattie, hearing the rumor, went to the bank to demand an explanation but did not find Mr. Kibben, who had started for home. Not gaining any satisfactory information, Beattie gathered from the street corners and from in front of the post office a group of men which soon grew into a mob, and they started after Kibben shouting 'hang him', 'hang him.' The mob on its way, Beattie dropped out. They overtook Mr. Kibben at his gate and demanded a retraction. Being a man of stern disposition, there was no possibility of any retraction from him. His daughters came out of the house and asked him to say anything that the mob wanted in order that he might come in and be left in peace. He said to them that he was an old man, and infirm, and that he 'might as well die now as at any time'.

"The disturbance attracted the attention of William Corkhill and Charles Snider, both prominent Republicans, Abolitionists and Lincoln men. They came and appealed to the mob for reason, finally proposing that Kibben return to the Bank, repeat his remark and explain the meaning. This he

consented to do if the mob would precede him to the bank, refusing to go with the mob or in their custody. The mob having left, he proceeded with Messrs. Corkhill and Snider to the bank, where he stated his true meaning and the crowd dispersed. The family cannot recall the names of any of the mob, but are sure that it did not include any persons of standing in the community.

"There was no further trouble, but for a long time there were threats of violence. The family purchased firearms and prepared to defend themselves, but there was never any occasion for their use. After a time a reaction set in and former friends were reconciled."³³

— — —, — — —, — — —, Jackson County, 1867.—Not long after the Conk murder trial in 1867, in Jackson county, three men were taken to the jail at Andrew on charge of murder. The citizens were aroused and a well-laid plot was made to lynch the prisoners. The town was picketed so that the prisoners could not escape. It became known to the officers that a lynching was intended, and in order to save the prisoners it was necessary to run the picket and get aid from Maquoketa. A little boy was selected and sent out as if to get the cows, and by morning a posse came from Maquoketa just in time to save the prisoners. The mob had arrived at 9:00 a. m. but the plans were defeated when the aid came.³⁴

Hiram Wilson, Lucas County, July 6, 1870.—Hiram Wilson was captured in the woods near Chariton by a mob on July 6, 1870, and only by a stout fight by the officers did he escape being lynched. The reason for the attempt at lynching was that he had mortally wounded Sheriff Lyman of that city. He was lynched later on the same day when the news of the death of the sheriff had spread.³⁵

George W. Kirkman,³⁶ Polk County, December, 1874.—George W. Kirkman had the reputation of being a very cruel

³³Correspondence of the writer.

³⁴*The History of Jackson County, Iowa* (Western Historical Company, Chicago, 1873), pp. 356-407.

³⁵*The History of Lucas County, Iowa* (State Historical Company, Des Moines, 1881), p. 565; (See also *Chariton Democrat*, July 12, 1870.)

³⁶*The Iowa State Register* (Weekly, Des Moines), December 25, 1874, gives the name as George A. Kirkman.

husband. He drove two of his sons from home and his wife also left, refusing to live with him. She fled to the home of William Zinsmaster, her brother-in-law. Kirkman had property in Polk and Story counties and was of considerable wealth, and when Mrs. Kirkman fled from his home, the neighbors, judging from his actions, thought he had gone insane and an attempt was made to divide up the property for the support of the family. Kirkman refused to have this done and attempted to get his wife to return. Zinsmaster had been appointed to make a division of the property and of course some feeling arose on account of it between him and Kirkman. A few nights afterwards Zinsmaster's barn was burned and evidence pointed to Kirkman as the offender. The citizens took the matter up and sent him an invitation to attend an investigation meeting. He declined this invitation. A mob of citizens took him to the woods and threatened to hang him, but after a long parley he was allowed to go. He was lynched a little later."

Samuel E. Watkins, Monona County, June 27, 1877.—During the night of June 27, 1877, a mob raided the Onawa jail with the intention of lynching Samuel E. Watkins who was confined there on charge of murder. Through the efforts of the sheriff the prisoner was saved.³⁸

Reuben Proctor, Warren County, November 12, 1877.—The lynching of Reuben Proctor was prevented on November 12, 1877, because of the strength of the jail at Indianola. The jail was stormed for several hours and finally the mob gave up and left, thinking they could not break open the door. If they had known it, only a little further effort would have made it successful as the door was almost ready to give way when they ceased. Proctor had been confined for assault. Miss Augusta Cading, the victim, died a little later, and as he was on trial another mob succeeded in lynching him.³⁹

³⁸*The Iowa State Register* (Weekly, Des Moines), December 25, 1874; *The History of Polk County, Iowa* (Union Historical Company, Des Moines, 1880), p. 530; *The Daily Iowa State Register* (Des Moines), December 17, 1874.

³⁹*Iowa State Register* (Des Moines), June 27, 1877.

⁴⁰*The History of Warren County, Iowa* (Union Historical Company, Des Moines, 1879), pp. 462, 463.

Henry Weese, Lee County, March, 1878.—On the fifteenth day of March, 1878, occurred the murder of Henry and Margaret Greaser in Jefferson township, Lee county. Evidence led to the arrest of Henry Weese and Fredrick Knoch as the murderers. Knoch proved an alibi but Weese was retained in Ft. Madison jail for trial. A search through the clothes of Weese discovered more than \$1,900. He was considered guilty by such a number that finally a mob went to the jail one night and demanded that he be delivered to them. The former mayor, Dr. A. C. Roberts, then editor of the *Democrat* was a popular man, and as he lived near the jail he was secured to address the mob, and after a time he was able to disperse them. Weese was tried later for the double murder, proven guilty, and sentenced to the penitentiary for life."

— Jones, Benton County, June 10, 1878.—After a mob had burned William Hick's barn, wounded him and frightened him out of the country, they immediately went to the house of Jones, June 10, 1878, and attempted to lynch him, but they did not find him. Several volleys were fired into the house in a vain effort to get him out, but no response came and they finally disbanded."

— —, Green County, July, 1878.—"At Grand Junction a few days ago a tramp attempted to commit an outrage on two little girls, six and seven years, whom he had enticed off in the weeds, but was frightened off by parties who discovered his designs, arrested and narrowly escaped lynching." This happened about the middle of July, 1878."

Henry Abel, Washington County, July 2, 1879.—An ex-convict, Henry Abel, was paying his respects to Miss Haskins of Clay township, Washington county, when an objection made by the parents caused him to murder both of them. Abel was searched for by the mob who intended to lynch him if they caught him, but they were unsuccessful. This was on July 2, 1879."

¹⁰*The History of Lee County, Iowa* (Western Historical Company, Chicago, 1879), pp. 462, 463.

¹¹*The History of Benton County, Iowa* (Western Historical Company, Chicago, 1878), p. 380.

¹²*Iowa State Register* (Des Moines), July 19, 1878.

¹³*Iowa State Register* (Des Moines), July 3, 1879.

William Pickering, Louisa County, July 3, 1879.—The murder in Louisa county, of William Teets by William Pickering on July 3, 1879, called out a large mob which pursued the murderer, intending to lynch him. Pickering evidently had committed the murder because of the marriage of his mother-in-law to the victim, whom he disliked."

Jerome West, Jones County, October 1, 1880.—An ex-convict, Jerome West, was arrested and placed in the penitentiary on charge of murdering George W. Yule of Jackson township, Jones county, and on October 1, 1880, a mob of about four hundred men, thinking he had been placed in the county jail, attacked the jail and were disappointed to find that West was not there."

John Weise, John Gwinn, Charles D. Errickson, Polk County, April 14, 1882.—At the time of the murder of Mayor R. W. Stubbs of Polk City, Polk county, John Weise, John Gwinn, and Charles D. Errickson were arrested on charge of murder. An attempt was made by a mob in Polk City on April 14, 1882, to lynch these men, but the officers succeeded in getting them away to Des Moines for safe-keeping."

Leonard Brown, Polk County, July, 1883.—Leonard Brown was outspoken against mob action at the time of the murder of Mayor R. W. Stubbs of Polk City, and some of his neighbors set upon him one day in July, 1883, in order to force him to keep quiet on the subject."

William Barber, Isaac Barber, Bremer County, June 6, 1883.—William and Isaac Barber, two desperadoes well known in Iowa, were arrested in 1883 on charge of murder and confined in the jail at Waverly. Rumors of a lynching party being formed put the officers on their guard and they took the prisoners to Independence for safe-keeping. In the night, June 6, 1883, the mob came to the jail at Waverly and demanded the Barber brothers, but they were disappointed to find they were not in the jail."

^a*Iowa State Register* (Des Moines), July 10, 1879.

^b*Iowa State Register* (Des Moines), October 13, and October 20, 1880.

^c*Burlington Hawk-Eye*, April 18, 1882.

^dCorrespondence of the writer.

^e*The Burlington Hawk-Eye*, June 8, 1883.

Robert Moore, Cerro Gordo County, September 18, 1884.—During the fair at Mason City in September, 1884, quite a disturbance was created by an insult offered a married woman by Robert Moore of Freeport, Illinois. The husband of the woman knocked the offender down, and in a few minutes a guard of soldiers came and placed him in custody. About midnight, September 18th, a mob came to the guard house and attempted to lynch Moore, but the officers succeeded in defending their prisoner."

James Reynolds, Decatur County, August 2, 1887.—The assault upon Mrs. Lewis Noble of Leon caused the arrest of James Reynolds, the offender, and his confinement in the Leon jail. The officers feared a lynching and removed the prisoner. On August 2, 1887, a mob came to the jail and searched it in vain to find Reynolds. The next morning the sheriff brought him back to Leon and bail was secured for him. This was a bad move, for Reynolds assaulted three other women as soon as he was loosed. He was arrested again and a mob lynched him on the night of the fourteenth."

Frank Pierce, Des Moines County, June 30, 1891.—The graveyard at Burlington was used as a dumping ground for garbage by a few individuals and it became necessary to forbid it. On June 30, 1891, Frank Pierce came to the graveyard with a load of garbage and was informed by E. H. Wishard that he could no longer unload there. Pierce had a reputation for ugly acts, and he drew two revolvers and shot Wishard. Pierce was arrested and brought to jail, and by the time he arrived a mob of about five hundred awaited him. They would have lynched him had not the militia been called out and blank cartridges used. This was the second time that a mob came near lynching him, as he had been sought by one in 1888."

Edward Walton, Wapello County, October 16, 1893.—Dr. Edward Walton was arrested for the murder of Melinda Amelia Cook, upon whom he had performed a criminal opera-

¹*Iowa State Register* (Des Moines), September 19, 1884.

²*The Iowa State Register* (Des Moines), August 3, 1887.

³*The Burlington Hawk-Eye*, July 1, 1891.

tion, and as the officers brought him in a carriage to the jail in Ottumwa, a mob attacked the officers in an attempt to wrest Walton from their hands and lynch him. The officers succeeded in getting him safely lodged in jail, but the talk of lynching was kept up all day and the mob remained about the town until night."³²

Leon Lozier, Pottawattamie County, January 17, 1893.—The well-known sprinter of Council Bluffs, Leon Lozier, was arrested for assault on Madaline Anderson, a girl five years old, and as he was being taken to jail a mob followed, threatening to lynch him. The mob was addressed by Sheriff Hazen and the Dodge Life Guards were called out to protect the jail. Several other speeches were made and finally the mob dispersed. The leaders were arrested, but whether they were finally prosecuted has not been learned."³³

John Hamil, John Krout, George Weems, Polk County, May, 1894.—A conductor on the Great Western Railroad, Lucias Blake Ridpath, was killed May 19, 1894, by two men while he was on his way to take charge of his train in Des Moines. The next day John Hamil and John Krout were arrested and charged with the crime. On the 21st George Weems was also arrested as one of the perpetrators of the murder. Krout was talkative and told much about the crime. The people became much aroused and threats of lynching were frequently made. A mob gathered at the police station, but because of lack of organization and also because of the efficient police force the mob was not able to get the prisoners. On the way from the police station to the county jail another mob was encountered, and with difficulty the men were lodged in jail. The mob remained about the jail for hours. The prisoners were secretly taken out of the city to prevent their being found if the mob should become unmanageable. Krout was released after a time and Hamil and Weems were convicted and sentenced to be hanged."³⁴

³²*The Iowa State Register* (Des Moines), October 17, 1893; *The Ottumwa Weekly Courier*, November 23, 1893.

³³*The Iowa State Register* (Des Moines), January 20, 1894.

³⁴*Porter's Annals of Polk County, Iowa, and the City of Des Moines* (1898), pp. 567-569.

_____, Pottawattamie County, May 31, 1894.—A tramp brutally assaulted Mrs. George Smith of Pottawattamie county on May 31, 1894, and a mob collected and pursued the tramp with ropes, intending to lynch him, but he could not be found.⁵⁵

Orlando P. Wilkins, Charles W. Crawford, Madison County, March 6, 1895.—The bank robbers, Orlando P. Wilkins and Charles W. Crawford, were arrested on March 6, 1895, before they had got very far from the robbed bank in Adel. After the capture a mob came and wanted to lynch Crawford who had been placed in jail, but by persuasion they were dispersed. Wilkins was shot to death in the capture.⁵⁶

R. E. Martin, Wapello County, April 4, 1896.—Little Eva Moore, twelve years old, was assaulted on April 13, 1896, at Ottumwa, and the news spread so rapidly that in a very short time many people were on the streets curious to see the results of the search for the offender by the police. As the excitement grew more intense a rope was procured and the mob awaited the time when the little girl should identify the offender among those constantly brought in by the police. The mob thought R. E. Martin would be identified when he was brought in and they intended to lynch him, but the little girl could not recognize him as the man. The craze subsided after a time and the mob dispersed.⁵⁷

Wilbur Smith, Charles Harris, Ralph Duncan, Wapello County, August 28, 1896.—Three men, Wilbur Smith, Charles Harris, and Ralph Duncan were arrested for entering a house in Ottumwa and assaulting Miss Nellie Warner, twenty years of age, and a mob of about three hundred attempted to wrest them from the sheriff but the sheriff was on his guard and prevented it. Harris was from Blakesburg and Duncan was from Illinois.⁵⁸

A. D. Storms, Des Moines County, February 9, 1898.—The dead bodies of Mrs. Fannie Rathbun and her daughter, Mary,

⁵⁵*The Iowa State Register* (Des Moines), June 1, 1894.

⁵⁶*The Iowa State Register* (Des Moines), March 7, 1895; *Dallas County Record*, March 8, and March 15, 1895.

⁵⁷*The Iowa State Register* (Des Moines), April 14, 1896.

⁵⁸*The Iowa State Register* (Des Moines), August 29, 1896.

were found by the police at their home, 1616 Dodge St., Burlington, on the 30th of January, 1898. They had evidently been dead for a week. Evidence was discovered that caused the arrest of A. D. Storms as principal and F. Fox, S. Johnson, William Williams, Jones Lannon, and Joseph Burchman as associates. The excitement grew intense over the affair and finally a mob, said to be led by W. A. Pruden and Charles Gallagher, formed at Patterson's barn and went to the jail to lynch Storms. The mob was probably composed of as many as five hundred men. Placards had been posted to arouse the citizens and call them to the mob meeting. The police mixed with the mob, found out their intentions and succeeded in getting Storms out of the back door of the jail just in time to save him. This mob collected on Tuesday evening, February 9, 1898, and after a short time went to the jail. When the officers told the mob that Storms was not there, they refused to believe it until a search had been made of the jail and even through the home of the sheriff, with no success. Even the room of the sheriff's daughter, who lay critically ill, was invaded and the closets broken open in a mad search for the suspected man. Scouting parties were put out to search the city and these did not give up the idea of finding Storms until after midnight. At one time the mob passed within one block of the closed carriage that contained Storms, but they did not know it and Storms was taken to Mediapolis and then to Anamosa for safe-keeping. Storms later confessed to the crime and implicated many others in his confession."

Alva Brooker, Monroe County, November 24, 1900.—The rape of Mrs. Sarah Hovel of Albia caused the arrest of Alva Brooker (colored), charged with the crime. A large mob attempted to lynch him on November 24, 1900, but Company G of the Iowa National Guards prevented it."

Charles Arnett, Webster County, December 19, 1900.—A large mob gathered at the jail in Ft. Dodge on December 19, 1900, and made such a noise about the premises that Charles

^{*}*The Burlington Hawk-Eye*, February 2, 3, 4, 8, 9, and 10, 1898; *The Saturday Evening Post* (Burlington), February 5, and 12, 1898.

^{*}*Iowa City Weekly Republican*, November 28, 1900.

Arnett was frightened into confession of his guilt by the threats of lynching from the outside. The charge against Arnett was theft."

Seymour Washington, Polk County, September 1, 1901.—As Miss Ada Ware was crossing the fields on her way to Valley Junction on September 1, 1901, two negroes assaulted her. She succeeded in getting away and ran home. Her father mounted a swift horse and rode to town as quickly as possible and aroused the police. Search for the offender was begun, and many suspects were brought in for identification by Miss Ware. The news spread and caused a large mob to gather about the jail, and the ones brought in were closely watched. Finally Miss Ware identified one negro, Seymour Washington, and the mob, already very much excited, grew worse and ropes were procured and attempts were made to lynch him. The jail was besieged and was the object of a bombardment of flying missiles for some time. Washington was placed in a car and taken to Des Moines as soon as possible, and the lynching was prevented."

Edward Davidson, Wapello County, February, 1902.—The twelve year old daughter of William Gallagher, living two miles northeast of Eddyville, was criminally assaulted by Edward Davidson of Pekay, in February, 1902. Davidson was arrested and confined at Eddyville. Plans were laid to lynch him, but the officers heard of them and took him to Ottumwa and thus frustrated the plans of the mob."

W. L. Horn, Appanoose County, December 21, 1903.—A murder near Salem church, Appanoose county, on December 21, 1903, called forth a mob that searched all night for the offender. He was found dead the next morning, having evidently killed himself rather than allow the mob to lynch him, which they intended to do if they had found him alive."

————— Burk, ————— Zimmerman, Pottawattamie County, December 28, 1903.—Two negroes, Burk and Zim-

¹*Iowa City Weekly Republican*, December 19, 1900.

²*The Burlington Hawk-Eye*, September 3, 1901.

³*The Revelle* (Rolfe), February 21, 1902.

⁴*The Register and Leader* (Des Moines), December 22, 1903.

merman, assaulted, robbed, and offended two women in Council Bluffs, December 28, 1903, and when they were arrested and placed in jail a large mob attempted to lynch them, but an extra guard force made the jail secure and prevented the lynching."

Harry Thompson, Woodbury County, April 18, 1904.—Continued disturbances were made in Sioux City by Harry Thompson, and finally Mayor John Bunn caused a warrant to be issued for his arrest. When the warrant was read to Thompson, he resisted, escaped, procured weapons, and shot Bunn. The citizens tried to lynch him, but the sheriff took him in charge and succeeded in getting him aboard a train and out of the city."

James Price, Boone County, November 19, 1904.—A negro, James Price, shot and fatally wounded Thomas Albright and then escaped to the woods in Boone county. On November 19, 1904, a mob searched for him, and judging from their talk they would probably have lynched him if he had been found. Stories spread about that he had been cornered on a sand-bar and lynched, but no evidence can be found to verify this story."

Victor Lee, Henry County, August 2, 1905.—The public sentiment against Victor Lee was shown on August 2, 1905, when he took his wife from New London to the insane asylum at Mt. Pleasant. The citizens sympathized with his wife and felt this was only a means of getting rid of her. They probably would have lynched him as he went away but the sheriff had him too well guarded. When Green Lee returned that night they egged him, and evidently they thought Victor Lee would return also, but he remained at Mt. Pleasant and thus escaped."

Frank Brothers, Polk County, September 27, 1905.—Howard Wittell was arrested and brought to the police station on September 27, 1905, by Detective Frank Brothers. In the

¹*The Daily Nonpareil* (Council Bluffs), December 30, 1903.

²*Dallas County News* (Adel), April, 20, 1904.

³*The Register and Leader* (Des Moines), November 20, 1904.

⁴*The Mt. Pleasant Journal*, August 4, 1905.

arrest Brothers had wounded the boy with a shot from his revolver, and this aroused the citizens so that a mob followed him to the station. No man was found among them who would dare lead the mob to lynch him, and finally they dispersed."⁶

Robert Hyde, Charles Martin, Polk County, July 16, 1906.—Two negroes, Robert Hyde and Charles Martin, pushed a white woman off the sidewalk in Des Moines on the night of July 16, 1906, and they came near being lynched for their aggressiveness. A mob took a rope from a street car and would have hanged them if the police had not been re-enforced just at that moment. The mob grew in size and did not disperse for some time."⁷

Thomas Grimes, Henry County, January 22, 1907.—The jail was besieged at New London on January 22, 1907, by a mob who sought Thomas Grimes (colored), supposed to be confined there on charge of the murder of J. W. Govin. The mob was outwitted by the officers who had learned of the danger of a lynching and had removed the prisoner to Mt. Pleasant."⁸

Ray Edwards, Wapello County, January 25, 1908.—On the night of January 24, 1908, Mrs. Clara Erwin was assaulted by a negro. Ray Edwards was arrested and charged with the assault. The indignant citizens came to the jail in a mob and demanded Edwards. The officers put out all lights in the jail and sent in a riot call to the police headquarters. When the sheriff came before the mob he told them Edwards was not in the jail, and to make sure, a committee from the mob searched the building but failed to find him. He had been secretly taken to Albia for safe-keeping."⁹

John Junkin, Wapello County, February 21, 1909.—The murderer of Clara Rosen of Ottumwa created much trouble for the authorities, as several attempts were made to lynch him. The assault on Mrs. C. M. Johnson made the state of

⁶*The Register and Leader* (Des Moines), September 27, and 28, 1905.

⁷*The Register and Leader* (Des Moines), July 17, 1906.

⁸*The Register and Leader* (Des Moines), January 25, 1907.

⁹*The Keosauqua Republican*, January 30, 1908.

feeling worse, and a mob went to the jail, February 21, 1909, to lynch him. Being admitted to the jail by the officers they made search for him but were unable to find him. He had been taken to Albia."⁷³

John Junkin, Des Moines County, February, 1909.—When the officers were taking John Junkin to Ft. Madison in February, 1909, a mob met them at Burlington and showed their attitude by casting missiles at Junkin."⁷⁴

John Junkin, Wapello County, March 12, 1909.—When John Junkin was brought back to Ottumwa on March 12, 1909, he was sought by a mob at the jail, but after staying about the jail for a time, creating much disturbance, the mob dispersed."⁷⁵

John Junkin, Appanoose County, June 1, 1909.—Immediately following the death sentence of John Junkin in Centerville, a mob attempted to lynch the prisoner and the officers had a hard time getting him safely on the car for Ft. Madison. This was June 1, 1909."⁷⁶

J. A. Keefner," Polk County, August 8, 1910.—Because J. A. Keefner's automobile caused a runaway and the injury of the team by running into a wire fence, a mob of farmers threatened to lynch Mr. Keefner. Word was sent to Des Moines and officers came to his rescue within a very short time."⁷⁷

⁷³*The Burlington Hawk-Eye*, February 23, 1909.

⁷⁴*The Register and Leader* (Des Moines), March 12, 1909.

⁷⁵*The Burlington Hawk-Eye*, March 12, 1909.

⁷⁶*The Burlington Hawk-Eye*, June 2, 1909.

⁷⁷*The Des Moines Capital* gives J. A. Kulfner.

⁷⁸*The Des Moines News*, August 8, 1910; *The Des Moines Capital*, August 8, 1910.

CHARLES BALDWIN.

BY HON. ROBERT SLOAN.

Charles Baldwin was born in Guernsey County, Ohio, in 1818; came to Iowa in 1840; married in 1844; was a part of Keosauqua and Van Buren County for fifty-eight years. His name was not widely known, but he did a man's work and filled a man's place in the world. He, and such as he, caused civilization to take its full step upward in the last generation. Such as he are pushing civilization a shade higher in this generation; and such as they, a little bigger and better possibly than their fathers, will advance it another grade in their time; and so on, from generation to generation.

He was rather taller than the average man, very erect and dignified in his carriage. Few people slapped him on the back and called him by his first name; but some did, and very heartily. Rather shunning than courting recognition or popularity, his advice was asked and his judgment was influential in determining matters of important public concern. Without posing as the purest, he was pretty sure to be right on moral questions. His judgment on economic matters was sound. He attended church regularly with his religious wife, and his authority, rather more perhaps than her gentle admonition, took their children always to Sunday-school. He was a thoughtful, well-read, non-religious man, who year after year attended an orthodox church Sunday after Sunday, largely because he had a growing family and his wife wanted him to. With no college training himself, and always in moderate circumstances, he sent each of his children in turn to college; and the time never came when they could not get information from their self-educated father. When young, they went to the public school every day, rain or shine, no excuse being allowed but sickness, and genuine sickness at that. The mother might have been talked over when the rain

was heavy or the roads were icy, but the father never. He was his own children's disciplinarian, not only at home but on the street and at school. He felt responsible for their behavior everywhere.

Rather strict and austere with his own children, there never was a time when they did not know he would have gone to the stake for the least worthy of them. Like a good winter apple, he grew mellow with age, and his grandchildren ran over him much as they did their grandmother, and everybody ran over her. While his children stood a little in awe of him, they loved and respected him, and believed there was nothing too hard for him. To them he was a very encyclopedia of knowledge. Without any pretense to scholarship he was an omnivorous reader; and from choice, as well as because he was the head of the family and responsible for its intellectual as well as material advancement, he read good books, and stored his mind with useful knowledge, which became a mine of information.

He came to Iowa when it as well as he was young, and located in Keosauqua when that promised to be one of the leading cities of the State. It was then full of bright, ambitious young men, many of whom have since achieved state and national reputation.

He was married there in 1844 to Rachel Wright. She was a sister of Judge George G. Wright, called in life, "The Grand Old Man" of Iowa, and of Governor Joseph A. Wright, of Indiana, Senator from that state, and our Ambassador to Germany at the time of his death.

The family life was a devoted one. They lived long enough to celebrate their golden wedding in the old homestead, surrounded by children, grand-children and a multitude of friends. They were greatly esteemed in the community and much beloved, far and near, as "Uncle Charley" and "Aunt Rachel". They were gifted socially, and their home in Keosauqua was long an example of generous and cordial hospitality. He died January 28, 1898, and Mrs. Baldwin died April 15, 1902.

The writer's acquaintance with Mr. Baldwin began in 1860, when he was a member of the firm of Wright and Baldwin, attorneys-at-law, which association was formed upon the retirement of Judge Wright from the supreme bench in January. Upon the death of Judge Stockton, in the summer of that year, Judge Wright was invited to fill the vacancy and resumed his position as one of the Justices of the Supreme Court. Mr. Baldwin then formed a partnership with Col. Henry H. Trimble, under the firm name of Trimble and Baldwin, which business relation was continued for many years, except during the interval when Colonel Trimble was Judge of the District Court.

Mr. Baldwin was forty years of age when he entered the legal profession, but he had had a wide business experience, and was a wise counsellor. He was not only capable of giving to a client a sound opinion as to his legal rights but that sensible form of legal advice which often prevents or settles litigation.

During his long career at the bar he always held the confidence of the public, the respect of the courts and the hearty good will of his associates.

The writer recalls some notable causes which he managed with unusual skill and great success, among them the well-known Avery case, wherein he secured priority for a large right of way claim over a railway mortgage. I recollect that his conduct of this case called forth the admiration of Hon. Samuel F. Miller, who was opposing counsel, and was soon thereafter appointed by Abraham Lincoln to be a Justice of the Supreme Court of the United States—the beginning of an illustrious judicial career.

Mr. Baldwin's greatest legal triumph was, perhaps, in the case of *Tribelcock vs. Wilson*, 12 Wallace, 687, in the Supreme Court of the United States. This case arose during the Civil War upon a note secured by land mortgage, executed prior to the passage of the "Legal Tender Act"—the note being drawn payable "in gold and silver coin of the United States."

The opinion of the Supreme Court delivered by Justice Field (Justices Bradley and Miller dissenting), in January, 1872, settled for all time the great question that such an agreement was enforceable and the creditor entitled to payment in coin as stipulated in the contract.

The principle involved was of great importance and the cause excited wide public interest at the time, it being held by the Supreme Court a year after argument and pending its final decision.

The case was prepared and carried through the Supreme Court by Mr. Baldwin. The District Court at home (Judge Trimble presiding) held adversely to his contention. He appealed to the Supreme Court of Iowa and was beaten there. He thereupon appealed to the Supreme Court of the United States and secured a reversal and a signal victory for the great doctrine of the inviolability of contract, for which he was contending.

The principle involved was of scarcely less importance than that in the celebrated Dartmouth College case which gave such fame to Daniel Webster as a Constitutional lawyer.

Mr. Cleveland appointed Mr. Baldwin postmaster at Keosauqua, which position he held for four years. In his early political career he affiliated with the Whig party, and in 1852 was elected Clerk of the District Court. He was bitterly opposed to the Know-Nothing party, because of the secrecy of its organization, which had something to do with his opposition to the Republican party during the period of its infancy. In 1856 he cast his lot with the Democratic party and acted with it during the rest of his life, and its continued minority position in Van Buren county was undoubtedly the cause which prevented his receiving greater political preferment.

Early in the Civil war he raised a cavalry company in this county and tendered it for the Third Iowa Cavalry then recruiting at Keokuk, but the regiment was practically full and his recruits were distributed to other companies.

Independence and integrity were perhaps the predominating traits of Mr. Baldwin's character. He did his own thinking, and followed his own convictions. His honesty was not just the common honesty of the man who keeps his contracts, pays his debts and does not steal. It was the higher intellectual honesty which looks facts squarely in the face and conforms opinion to them rather than makes facts conform to his opinions. In private matters, he could see the other men's rights quite as clearly as his own. In public affairs, he was frank, open and outspoken; he never believed a thing or pretended to because it was popular, and never advocated a thing he did not believe. Indeed, on public questions he was often in the minority, and often in the right. His legal learning, high sense of justice, and strong hatred of fraud and double-dealing would have made him a fine equity judge.

He died poor, but with the knowledge that he had lived his life well, paid his way, had contributed more to the world than he had cost, did not owe any man a dollar or an unreturned kindness, and that he left enough of this world's goods to carry his lifelong helpmate with comfort through the remainder of her journey. Such men as he, self-effacing but self-respecting; well informed without being pedantic; conservatively progressive; honored and admired by their neighbors, but never taking the center of the stage; moral, upright and devoted to their homes and families, and believing sincerely that the world moves and that they must help it move, are to be found in almost every county seat in Iowa. They are not so numerous as to be in the way, nor so common but that they are admired and looked up to by their neighbors.



*Most Sincerely Yours,
Francis Emerson Judet.*

ESTABLISHMENT OF THE DIOCESE OF IOWA,
PROTESTANT EPISCOPAL CHURCH OF
AMERICA.

BY REV. FRANCIS E. JUDD, D. D.¹

When the Rector of St. Luke's Church, Rev. Henry Washington Lee, Rochester, New York, received intelligence of his election to the Episcopate as the "First Bishop of Iowa", necessarily a new interest was awakened in the geographical position of his proposed diocese. Upon examining the map he found to his surprise that the extreme southeast county of the State of Iowa bore his name "Lee", and greater became his astonishment upon discovering that the two counties lying north of "Lee" were called respectively, "Henry" and "Washington", thus inscribing on the map his indexed name. No wonder that he was somewhat impressed by this singular coincidence to which he sometimes referred, half jocularly perhaps, as providentially indicating that he ought to accept the diocese thus geographically assigned to him. Certainly, the result proved that he was rightly guided in this most important decision in his useful life; for as a pioneer missionary bishop in a widely-extended, and, in many respects, very difficult field of labor, he was always earnest, self-denying, helpful, and favored with such success as under the circumstances was possible.

Henry Washington Lee was born in Hamden, Connecticut, on the 29th of July, 1815. His father Boswell Lee, whose native place was Spencertown, New York, was the worthy representative of a family whose name is illustrious in the annals of the Revolution, and as an evidence of the confidence

¹Rev. Francis Emerson Judd, D. D., principal of the preparatory department of Griswold College, Davenport, Iowa, 1859; Rector of Trinity Church, Davenport, 1860-66; President of the Standing Committee, Secretary of the Diocesan Convention, Delegate to the General Convention of 1895, etc. His active work in Iowa extended over a period of more than forty years. He died in Portland, Ore., Feb. 25, 1902.

placed in his integrity and ability, held the position of Superintendent of the Armory at Springfield, Mass., for nineteen years. He had in all eight children who lived to maturity. His removal to Springfield took place during the infancy of Henry, and brings to the mind of the writer, one of those pleasantries in conversation with which the Bishop was wont to enliven any social circle of which he happened to be a member.

At a little clerical gathering in honor of one who had exchanged his cure in Iowa for a charge in Connecticut, but had returned to his former home for a brief visit, the brethren were relating some of their parochial experiences. The visitor prefaced a story he was about to tell with the remark that perhaps he ought not to proceed, as what he had to say was not creditable to the Bishop's native State. "Don't spoil your story for relation's sake," exclaimed the Bishop, "It is true I was born in Connecticut, but I removed to Massachusetts when I was six months old and took my mother with me!"

On the twenty-seventh day of May, 1838, in Grace Church, New Bedford, Massachusetts, the future Bishop of Iowa was ordained "Deacon" by the venerable Bishop Griswold, for whom he entertained a deep affection and profound respect. Having passed his examination with great credit, at the conclusion of his diaconate in New Bedford, he was advanced to the priesthood, October 8, 1839, being ordained by the same Bishop, at a service held in St. Anne's Church, Lowell, Massachusetts. He was called to the rectorship of Christ Church, Springfield, Mass., and on the second day of April, 1840, entered upon his duties, which for three years were discharged so faithfully that his good report reached the ears of the vestry of St. Luke's Church, Rochester, New York. He accepted a call from this large and influential parish, and was its beloved and successful rector for eleven years.

He received the degree of D. D. from Hobart College in 1850, and from the University of Rochester in 1852. In the year 1867 the degree of LL. D. was conferred upon the first Bishop of Iowa by the University of Cambridge, England.

While yet a deacon, in 1839, Henry Washington Lee, of New Bedford, Mass., was united in the bonds of holy matrimony to Lydia Mason Morton, of Taunton, Mass., daughter of Gov. Marcus Morton, a union dissolved by death after thirty-five years of exceptional domestic happiness.

The first convention of the Protestant Episcopal Church in Iowa convened on May 31, 1854, in a church building kindly loaned for the occasion by the Presbyterians of Davenport, and was presided over by the venerable Bishop Jackson Kemper in whose missionary jurisdiction the State of Iowa was then included. In concluding his annual report the Bishop thus addressed the assembled clergymen and delegates:

As you are now fully organized, you will be anxious to enjoy every privilege and at the earliest possible day to secure to yourselves a diocesan. I will cordially co-operate with you in such efforts, and will rejoice to welcome another bishop in the West. Seek out a man of God, one who is earnest and single-minded, one who is patient of fatigue, ready to endure hardship with a cheerful spirit, for the Redeemer's sake, and who will consecrate all his energies to the work before him, which unquestionably will be the building up of the diocese in strength and holiness.

On Thursday, June 1, 1854, the election took place, Dr. Henry Washington Lee of Rochester, New York, receiving a majority of both clerical and lay ballots. Certainly, the man thus called to preside over the Diocese of Iowa as its first bishop, fully answered to the ideal presented by the words of good Bishop Kemper.

He was consecrated in St. Luke's Church, Rochester, on St. Luke's Day, Wednesday, October 18, 1854, the Bishop of Vermont presiding, and the Bishops of Michigan, Western New York, Massachusetts, Maine and Illinois being present and assisting. Bishop Eastman of Massachusetts preached the sermon.

Dr. Lee remained in charge of St. Luke's until January 1, 1855, when was severed the strong tie which for precisely eleven years had bound him to a faithful and beloved people. But before this resignation the Bishop visited his diocese, arriving at Dubuque Saturday, October 28, and on Sunday, October 29, preached for the first time in Iowa, in St. John's

Church of that city, of which the Rev. Robert D. Brooke was the devoted pioneer rector. His sermons, both morning and evening, produced a deep impression, and all who heard them pictured a bright future for the diocese presided over by a man so prepossessing in appearance, so attractive in discourse, and above all, so fully consecrated to his work. The Bishop visited Muscatine, Davenport and Burlington, leaving for the east on the 8th of November. In Trinity Church, Davenport, for the first time he administered the rite of confirmation. This short visit to Iowa seemed an earnest of great good in the future, so favorable were the impressions everywhere made by the Bishop in both his official and social intercourse with the people.

On Sunday, December 24, it was the delightful privilege of Bishop Lee to confirm thirty-five of the flock, which as pastor for eleven years he had cared for and loved, and on the Sunday following with mingled emotions of regret and gratitude he took leave of his beloved parishioners.

The second annual convention of the diocese of Iowa, being the first one which Bishop Lee presided over, was held in Christ Church, Burlington, of which the Rev. F. R. Hoff was the devoted and successful rector. The Bishop preached the sermon, after which the Rev. George W. Watson, deacon, was admitted to the order of priests. In his convention address the great importance of a diocesan fund for the support of the episcopate was spoken of as having been so effectually urged upon his attention that he entered at once upon the arduous task of raising it, and in so doing made a tour of the more wealthy eastern parishes. As the final result of his most successful efforts, "The Iowa Episcopate Fund" amounted to \$7,933.74, with which 6488 80-100 acres of desirable land were purchased and held for sale. This fund has provided for the erection of a handsome residence for the Bishop in Davenport, costing over \$20,000, and also furnished investments yielding an annual income of over \$3,000. Thus Bishop Lee's wisdom and thoughtful foresight are kept in perpetual remembrance by a grateful diocese.

On Saturday, October 27, 1855, the Bishop returned from his eastern tour of solicitation, accompanied by his family, and made Davenport his home. Thenceforth from time to time he visited the various parishes, missionary stations, and in fact every accessible portion of the State in which any encouragement for Church work was offered. How arduous were his labors, only they whose experience realized the difficulties of travel in Iowa before the days of railroads can know; but the robust health and untiring energy of the Missionary Bishop never gave way, however great the difficulties encountered. We can appreciate what he found in the country, when, in the city of his residence, Davenport, while attempting to cross Second Street near the foot of Brady, he sank so deep in the mud that passers-by hastened to his assistance and pulled him out. Being a large man, six feet in height and weighing over two hundred and eighty pounds, he met with frequent disasters while traveling, breaking carriages on the road, and chairs and bedsteads in the houses where he was entertained. He had many amusing stories to relate regarding these mishaps.

In accordance with canonical requirement, in the third year of his episcopate, Bishop Lee addressed to the clergy of his diocese his primary charge, taking as its subject "Sanctification, as a Doctrine, and as a Personal Attainment". In this charge, as in fact in all his sermons and addresses, one cannot fail to be impressed with his earnest faith and deep spiritual experiences, so continuously and so forcibly was he accustomed to emphasize the infinite importance and blessedness of the "likeness to Christ." In closing this primary charge he says:

It will be my chief ambition to be known and recognized among all Christian people, as a faithful preacher of the Gospel, and as a bishop who is determined in his great work to know nothing "save Jesus Christ and Him crucified." Whether God shall permit me to devote a long life to this He only knows, but be my time of labor long or short, I am determined to consecrate it to the truest and highest interests of our beloved Zion, and if, when my work shall be done, and the scenes of time are passing away, I shall be privileged to behold here a spiritual building, fitly framed together, resting upon a true foundation, and growing into a holy temple to

the Lord, I shall depart in peace. But if, in that solemn hour, I shall be doomed to look upon the diocese to which my best days and best services have been devoted, and see its light dimmed and its glory tarnished by a worldly-minded people under the lead of an unsanctified ministry, I should go down with sorrow to the grave. May God make us a holy Church! May we as a diocese become eminent in spirituality! May we be of one heart and mind in the great work entrusted to our hands, striving together in the faith of the gospel! Brethren, the time is short! Soon our work will be finished and others will enter into our labors. O, then, be faithful! Be faithful unto death, if you would have a crown of life.

These words declare eloquently the Bishop's keen sense of personal responsibility to the Divine Master.

On the Eighth Sunday after Trinity, July 13, 1856, by the invitation of Bishop Kemper, Bishop Lee preached in Omaha City the first sermon by a Church Bishop in the Territory of Nebraska. At that time the Rev. George W. Watson divided his most successful ministry between Council Bluffs, Iowa, and Omaha City. Bishop Lee left Oskaloosa on Monday, July 7, and was joined by Bishop Kemper at Fort Des Moines. He reached Council Bluffs on Friday, July 11, thus having been five days on the journey.

In his address to the sixth annual convention, on May 30, 1860, the Bishop announced the purchase of what was then known as the "Iowa College" property in the city of Davenport. Iowa College had been moved to Grinnell and the entire property, consisting of two city squares, with a large college building built of stone, and a frame boarding house, was purchased for \$36,000, the contract having been made with the Bishop individually. Possession was taken on the first day of August and the Bishop said: "To myself it was an interesting circumstance that this full and final decision to purchase the 'Iowa College' property was made on my forty-fourth birthday, July 29th".

A semi-annual convocation was held at Davenport, December 6-8, in connection with the services of which, a college corporation was organized and the name of the late presiding Bishop Griswold was unanimously adopted as that of the institution. In his sixth annual address already referred to, Bishop Lee paid Bishop Griswold this tribute:

From this now sainted man I received the holy rite of confirmation, and by him I was admitted to the diaconate and the priesthood, and I have ever regarded him as one of the wisest and purest prelates that ever adorned our Church, or the Mother Church of England.

On Dec. 12, 1859, the preparatory department of Griswold College was opened under the charge of the Rev. Francis Emerson Judd, M. A., who for this purpose at the Bishop's request, resigned the rectorship of St. Michael's Church, Mount Pleasant. He was assisted by Prof. D. S. Sheldon, late of Iowa College, and the institution opened with over thirty pupils. The following spring found Bishop Lee in the East raising funds for the college and meeting with his usual success.

The eighth annual convention of the Diocese of Iowa convened in Dubuque, May 29, 1861, and in his address the Bishop spoke most earnestly and with intense loyalty regarding the fearful dangers threatening the commonwealth and the grave responsibilities resting upon its citizens. He said in conclusion:

While I thus speak out of the fullness of a heart that grieves and agonizes over the darkened hopes and purposes of our beloved country, and while as a Christian and a Christian teacher, I mourn over the deep and awful corruption of man's nature, which has so long resisted the combined influences of civilization and religion, I cannot yet do otherwise than exhort both clergy and people to defend the nation's honor and uphold the nation's laws. As the world is, wars and commotions must needs be; and in spite of their incompatibility with the pure principles of the Gospel of Christ, we will believe, that God, in His wise providence, will bring good out of evil and extend His Kingdom among the ruins of nations and empires. Even the present troubles and afflictions of our country undoubtedly will be overruled to the furtherance of those divine plans which render certain the final, though gradual triumph of civilization and Christianity.

He also adds:

Nor can I refrain from giving utterance to a desire long-continued, and now greatly increased, and not inconsistent with charity towards those who hold widely different sentiments, that in God's own time, by means which he can approve, the social and domestic institution (slavery) which has so plagued, and irritated,

and divided us as a nation, may be removed from human society, and take its place, side by side in the history of the world, with bad and obsolete systems of human government, and with other things which God has winked at, or permitted, but never commended or sanctioned, as His own chosen and permanent appointments among the children of men.

The good Bishop lived to see this philanthropic desire most fully and gloriously accomplished.

In October, 1862, Bishop Lee attended the General Convention of the Church assembled in New York, of which he thus speaks in his ninth annual address at Iowa City, May 27, 1863:

The principal discussions in this Council of the Church had reference to the unhappy condition of our country, especially in its bearing on our ecclesiastical affairs, and the final action of both houses was singularly accordant with that of our own diocesan convention eighteen months before. The general tenor of my own remarks on this subject, in the conventional address of 1861, and the unanimous resolution of the convention itself, may be regarded as having been virtually sanctioned by the Church at large. Our Church has ever and wisely stood aloof from entangling alliances and unholy intermeddling with political parties and party politics, but in the awful crisis through which the nation is passing, she has faithfully echoed the voice of Holy Writ, as to the duty of Christian people to the civil authority; and uttered her firm but kind remonstrance in opposition to all that hasty and premature action by which our brethren in the seceding states have sought to divide the Church, before the great question of civil division is determined and settled according to the usages of the nations of the earth.

During the continuance of the war Bishop Lee set forth suitable prayers to be used on the duly appointed national fast days, and on April 17, 1865, he issued a pastoral letter to the diocese having reference to the tragic and untimely death of President Lincoln; setting forth also a suitable prayer to be used on the day of humiliation and fasting appointed by the Governor of the State in consequence of the sad event.² On the day of the obsequies in Washington, April 19th, Bishop Lee took part in solemn funeral services held in the chapel of Griswold College, in honor of the de-

²Proclamation on the Death of Abraham Lincoln, by Gov. W. M. Stone, April 15, 1865.

ceased President, at which the Rev. H. N. Powers¹ delivered an appropriate and eloquent discourse. On every occasion and in every emergency when he could exert an influence, either officially or privately, for the good of his country, Bishop Lee always proved himself a wise and true patriot; a worthy descendant of the heroes of the Revolution.

On August 14, 1867, the Bishop of Iowa sailed for England, and having arrived safely was present at all the sessions of the Pan-Anglican Conference in Lambeth Palace. He afterwards made a tour through England, Ireland and Scotland, visiting also the most interesting portions of France and Switzerland. He made several addresses, one of them at the Church Congress at Wolverhampton, and preached ten times in England, once in Ireland and twice in Paris. Unfortunately, he was compelled by indications of failing health to return home sooner than he desired, but he enjoyed the European sojourn exceedingly. In his convention address of 1868 he thus speaks of it:

It afforded me rare and precious opportunities of social and official intercourse. I visited places and objects of the deepest historical interest, and received impressions especially respecting England and its Church which I trust will be of great use to me the rest of my life.

In this same address, referring to the ritualistic practices then agitating ecclesiastical circles in England, and regarding which he had written an open letter to the Bishop of London he thus concludes:

Notwithstanding our existing differences and troubles, I look for returning unity, peace and concord, and for a fulfillment of that great and glorious destiny which would seem to be awaiting us as a Church; a destiny foreshadowed by our essential primitive features, by our evident and peculiar mission in this land, by our past history, and by that wise system of means and instrumentalities so admirably adapted to maintain the true worship and word of God, and to extend pure and undefiled religion among all mankind.

¹Rev. Horatio Nelson Powers, D. D., was born in Amenia, N. Y., April 30, 1826; he died in Piermont, N. Y., Sept. 6, 1890. He was educated in Union College and the General P. E. theological seminary in New York, and was ordained as a deacon of Trinity Church. He was rector of St. Luke's Church, Davenport, Iowa, 1857-62 and president of Griswold College in 1864-67.

These words recall another very frequent utterance of the Bishop:—"Our Church is the balance-wheel of American Society."

The annual address of 1868 thus concluded (he had just before spoken of the death of the venerable Bishop Hopkins of Vermont):

My dear Brethren we are all passing away, and soon we shall close our earthly stewardship and go to our final account. I feel more deeply than ever the awful responsibility of the ministry of the Gospel, and of the position of all who are members of the Church of the living God. A few days since I completed thirty years of my own ministry, nearly fourteen of which have been spent in my present work as Bishop of this Diocese. I have thus labored in the divers orders of the sacred office for that entire term of years usually allotted for a generation; and as I look back over the past, all seems like a fitting shadow and passing dream. I feel that I have accomplished little for the Master and His Kingdom, and that very limited success is now attending my labors. This may be a proper and salutary feeling, but it is certainly very humiliating and distressing and at times overwhelming. I earnestly ask your prayers that I may be more faithful in my appointed work, and more entirely devoted to Him, who is the gracious Bishop and Shepherd of our souls; assuring you from my heart, that both as ministers and people, you have my affectionate sympathy and regard, and that I shall not cease to implore the God of all grace to have you in His holy keeping, prospering your united and co-operative labors in the work of the Lord, and welcoming you at last to the rewards of faithful servants in His presence and glory on high.

The twenty-first annual convention of the Diocese of Iowa was held in Grace Cathedral, Davenport, and in his address upon that occasion the Bishop said:

The consecration of Grace Cathedral, where we are now assembled took place on Wednesday, the 18th of June last, in the services of which most interesting occasion, I was assisted by the Bishops of Minnesota and Nebraska, and by a large number of the clergy, some of whom were from other dioceses. The Bishop of Minnesota kindly preached the consecration sermon. The building was consecrated as a cathedral at the request of the last convention, and the name "Grace" was adopted as being that of a well-known church in the city of New York, from members of which came the largest offerings towards its erection; though a kind-hearted individual of another parish in the same city, formerly of Chicago, originally suggested the undertaking and gave largely towards its accomplishment.

In the same address the Bishop announces the completion of the Episcopal residence and the taking possession of it by his family. He also referred to the then recent organization of the so-called "Reformed Episcopal Church," which movement he most heartily regretted and openly condemned, in the following language:

It is based on a narrow foundation. It would seem there was no adequate excuse for such a movement, when the evils complained of could have been so much better met and remedied in the Church itself. In my opinion it was ill-advised and unfortunate. I have no harsh or unkind words, however, for those engaged in it; but I may give utterance to my deep regret and sorrow that these brethren have made so sad a mistake and taken upon themselves such a fearful responsibility. I have in another form spoken freely and somewhat at length upon this subject. My personal relations to the late Assistant Bishop of Kentucky, the leader in this movement induced me to address him a pastoral letter of remonstrance and explanation. I had been one of his consecrators, and for years an intimate friend, and I felt it to be a solemn duty to put on record my decided testimony against a new and unnecessary division among those who profess and call themselves Christians. The letter was published in our diocesan paper, and thus has a permanent place in the records of the Church. It also appeared in various Church papers, and in the secular journals.

They who listened so attentively to their beloved Bishop's address, had indeed no thought that it would be his last. He seemed in his usual health and vigor, and the impressive earnestness of his speech was in no wise diminished. Yet, on the twenty-sixth day of the following September, "he fell asleep."

Notwithstanding his apparent physical strength, the Bishop had not been well for some time before he met with the accident which apparently hastened his death. Making a misstep, he fell upon the stairs of his residence and so injured his hand, that, owing to the diseased condition of his system, the result was speedily fatal. One can hardly imagine the thrill of surprise and sorrow that ran through the diocese when the news of his death was heard. A vivid remembrance of his genial manners and unaffected earnestness filled with tears many eyes, and heartfelt messages of sympathy came from every direction, far and near to his suffering family.

The funeral services, held in Grace Cathedral on the 29th of September, were attended not only by a large concourse of the citizens of Davenport, but also by lay representatives from parishes throughout the State, and by the mass of his own clergy with many brethren from neighboring and other dioceses. Bishops Henry B. Whipple, of Minnesota, Charles F. Robertson of Missouri, and Thomas H. Vail of Kansas, conducted the services, the Bishop of Kansas preaching the sermon in which he paid his friend and brother an eloquent tribute of affectionate esteem.

The first Bishop of Iowa completed his twenty years of arduous and most faithful labors, labors requiring many thousand miles of travel, and a continued series of services, sermons and addresses, including also many journeys eastward, undertaken for the purpose of raising the means to carry on his numerous and important enterprises. Truly his works do follow him. "Being dead he yet speaketh." Aye, and will speak so long as the early history of the Diocese of Iowa shall be known.

At the special convention called by the Standing Committee and held in Grace Cathedral, Dec. 9, 1874, less than three months after the Bishop's decease, the writer by request preached a sermon commemorative of his beloved Diocesan, and perhaps he cannot conclude this imperfect sketch more fittingly than in words taken from his discourse upon that occasion:

In material possessions our Diocese for its age is rich, and, what is of far more importance, within it the foundations of the American Catholic Church have been wisely laid broad and deep. No spirit of narrow bigotry and no effort of intolerance has ever found encouragement in the policy of the large-minded, large-hearted man, whose comprehensive views and charitable rule for twenty years have guided the development of our youthful Diocese. All Bishop Lee's writings, his letters, his sermons, his convention addresses, his pastorals and triennial charges, bear unmistakably the impress of Christ's character and teaching. These testify, each and all of them, how sacredly he regarded his consecration vow to "faithfully exercise himself in the Holy Scriptures and call upon God by prayer for the true understanding of the same." He was in every respect a representative man; showing fairly both the ecclesiastical and

doctrinal position of that branch of the "Holy Church Universal" known for the time being as the "Protestant Episcopal Church in the United States of America."

But if Bishop Lee was eminent in all pertaining to his official position, he was also eminently Christian in the various relations of private life. As a husband and father he was tenderly thoughtful and affectionate; as a friend, considerate and true, and as an acquaintance and neighbor most sociable and charitable. His cheerful manners and entertaining conversation rendered his society universally attractive. His words of cheer and deeds of judicious but unostentatious benevolence cheered many an anxious heart and gladdened many a needy home.

CAMANCHE AND ALBANY FERRY.

The subscriber respectfully informs the traveling public, that he has in complete operation a large and commodious Ferry Boat, propelled by horse power plying between the above places, at one of the best locations for a ferry on the Mississippi, river, and on the most direct route from Chicago or in fact all the eastern travel through Iowa Territory to the settlements on Cedar, Iowa, Waubesa, or Macqueta, rivers. This Boat is large and safe for teams and heavy carriages, and will land on either side of the Meredosia to accommodate passengers.—The subscriber hopes by always being in readiness to accommodate the public, to merit and receive the patronage of travellers and emigrants.

JAMES CLAIBURN,
Proprietor.

Camanche, June 5, 1839.

—*Iowa Sun*, Davenport, November 13, 1839.

ANNALS OF IOWA

EDITORIAL DEPARTMENT

THE KEOKUK MONUMENT.

There can be nothing but satisfaction in the minds of any who love our State, her art, her literature and all her influences for culture, in knowing that Iowa has been distinguished by having another of the noted American Indians connected with her history appropriately commemorated in sculpture. The first was the Iowa Mahaska, whose statue by Frye was presented to the city of Oskaloosa by Mr. James D. Edmundson of Des Moines.

Through provisions of the Keokuk Chapter, Iowa Daughters of the American Revolution, there was unveiled on October 22, 1913, a statue of Keokuk, modeled by Miss Nellie V. Walker of Chicago, a native Iowa woman. This beautiful bronze piece, upon the site where now rest the bones of the famous Sac chieftain, overlooks the Mississippi river at one of the notable scenic points along that stream.

By a courteous interchange with the Iowa Daughters of the American Revolution, the monument also notes that locality as being the starting point of a most interesting overland travel in the pioneer period of Iowa history. An early allusion to this travel in what is now Appanoose county is found in the notes and map of the Red Rock Survey of 1842 as "Bee hunters trace from the mouth of the Des Moines River". A tablet upon the base of the monument bears this inscription:

TO THE MEMORY OF
THE PIONEERS
WHO ENTERED IOWA BY KEOKUK
THE GATE CITY
AND EITHER SETTLING IN OUR STATE OR
PASSING FARTHER WEST
TRAVELED OVER THE WELL-WORN ROAD
KNOWN AS THE MORMON TRAIL

WITH THIS TABLET THE DAUGHTERS
OF THE AMERICAN REVOLUTION
OF IOWA
OFFICIALLY OPEN THE MARKING OF THAT
EARLY AND IMPORTANT
PIONEER HIGHWAY.



KEOKUCK.

Statue by Miss Nellie V. Walker. Erected by Keokuk Chapter D. A. R. The pedestal formerly supported a shaft above the bones of the noted Sac chief.

"THEY CROSSED THE PRAIRIES, AS OF OLD
THE PILGRIMS CROSSED THE SEA,
TO MAKE THE WEST, AS THEY THE EAST,
THE HOMESTEAD OF THE FREE."

ERECTED OCTOBER TWENTY-SECOND
NINETEEN HUNDRED AND THIRTEEN.

MARKING THE MORMON TRAIL.

For some twenty years the present Curator of the Historical Department of Iowa has been accumulating information upon trans-state commerce prior to the opening of the Union Pacific Railway. Some years ago he first presented to an Iowa state convention of the Daughters of the American Revolution, his views upon the travel and traffic over and settlement along the old Mormon Trail. Suggesting the extensive use of this route for emigration to California and other notable movements eastward and westward both before and after the gold excitement, he advocated the expenditure by that patriotic order of both thought and money upon the erection of appropriate markers along the route.

There has resulted a gradual awakening of interest and retrieving of information upon the subject. The distinction has been clearly drawn between the subject of *Travel along the Mormon Trail*, which was commended, and those of the *Mormon travel* or *Mormon trails*. The sincere convictions of the people of our State against the tenet of polygamy, entangle us in a feeling against all institutions and names associated with it. But a study of the travel on the Mormon Trail has had a beneficial effect in that it has aided us to look through the name "Mormon Trail" to the really important early travel over it.

A glimpse of what that travel was, and was expected to become, can be had through the eyes of the early prophets of Iowa, one of whom, James W. Grimes, in 1853 published in his *Iowa Farmer and Horticulturist* an editorial on "The Future Markets of Iowa" wherein he said:

Conversing a short time since with a returned Californian, and informing him of the vast numbers of cattle, sheep, &c., driven through our State this spring, he remarked that numerous as were

the California drovers of 1853, they were nothing to what would come hereafter. . . . Hundreds of men in the Golden State were laying up money for the sole purpose of coming to Iowa and Illinois to purchase and drive cattle and sheep. This trade is the most profitable of any now carried on in California and is one which we are assured it is impossible to overdo for the next twenty-five years. The drovers come, not with the rags of eastern shinplaster mills, too often mere phantoms and shadows of a currency, but with solid gold which cannot easily take wings and disappear, even while you clutch it in your hand. They ask no credit, and pay fair and remunerating prices. The further west the cattle are found, the better they suit their purposes, and the more readily are they sold. No market need be sought, for the purchaser seeks the vendor at his home, and at once pays his money and drives off his purchase. The heavier the stock on hand, the greater the attraction for the buyer. No more profitable and satisfactory business need be asked by any man than the future which is opening up to the farmer of the prairies of Iowa.

On these and similar facts and reasons, through this and no other vision, came Salmon P. Chase's bill of 1853 appropriating funds for a survey for a Pacific railway.

There was no considerable traffic across our State up to the opening of the Union Pacific Railway that did not go over some portion of the old Mormon Trail. In one decade the traffic was transferred to railways and the old route abandoned. Memory both of traffic and route had been dimmed by time and further obscured by the tragic events of the Civil war. Records of even the Western Stage Company are meager indeed. The subject of Mormons, Mormon church, Mormon travels and Mormon routes are of but trivial importance in Iowa annals. But the movements of the pioneers upon the Mormon Trail is one of the most fruitful themes of inquiry. It is most worthy to be commemorated by markers along its ancient way.

HISTORICAL PORTRAIT COLLECTING.

Iowa, through the Historical Department at Des Moines, has a notable collection of pictorial data of her more noted citizens. Our oil portraits are exhibited in accordance with the best gallery rules, and afford to the visitor as satisfactory

opportunity for inspection and study as is given by the best European art collections.

Our visitors, and visitors to all similar collections, are often of the opinion that portraits displayed are or should be gathered and exhibited solely for their art character. Some are of the opinion that only art considerations should govern the acquisition of portraits, and especially their exhibition in public galleries. But the Iowa policy has ever been that the collection should be first historically, then artistically valuable and if possible, both. But of those personages essentially part of the forward movement in Iowa affairs, some record of face and figure should exist.

Charles Aldrich was wont to go for guidance to the rules and examples of British collectors of historical and biographical materials. The present curator has sedulously endeavored to advance along the course found so well marked out. He has not come upon an opinion so well presented and so precisely defining the duty of our Department as that called to his attention by a British curator, from the pen of Thomas Carlyle. So far as portraiture is of value to the historian the view presented is our belief:

First of all, then, I have to tell you, as a fact of personal experience, that in all my poor Historical investigations it has been, and always is, one of the most primary wants to procure a bodily likeness of the personage inquired after; a good *Portrait* if such exists; failing that, even an indifferent if sincere one. In short, any representation, made by a faithful human creature, of that Face and Figure, which *he* saw with his eyes, and which I can never see with mine, is now valuable to me, and much better than none at all. This, which is my own deep experience, I believe to be, in a deeper or less deep degree, the universal one; and that every student and reader of History, who strives earnestly to conceive for himself what manner of Fact and *Man* this or the other vague Historical *Name* can have been, will, as the first and directest indication of all, search eagerly for a Portrait, for all the reasonable Portraits there are; and never rest till he have made out, if possible, what the man's natural face was like. Often I have found a Portrait superior in real instruction to half-a-dozen written "Biographies," as Biographies are written;—or rather, let me say, I have found that the Portrait was as a small lighted candle by which the Biographies could for the first time be read, and some human interpretation be made of them; the Biographed Personage no longer an empty

impossible Phantasm, or distracting Aggregate of inconsistent rumours—(in which state, alas his usual one, he is worth nothing to anybody, except it be as a dried thistle for Pedants to thrash, and for men to fly out of the way of),—but yielding at last some features which one could admit to be human. Next in directness are a man's genuine Letters, if he have left any, and you can get to read them to the bottom; of course, a man's actions are the most complete and indubitable stamp of him; but without these aids, or Portraits and Letters, they are in themselves so infinitely abstruse a stamp, and so confused by foreign rumour and false tradition of them, as to be oftenest undecipherable with certainty.

This kind of value and interest I may take as the highest pitch of interest there is in Historical Portraits; this, which the zealous and studious Historian feels in them: and one may say, all men, just in proportion as they are "Historians" (which every mortal is, who has a memory, and attachments and possessions in the Past), will feel something of the same,—every human creature, something. So that I suppose there is absolutely nobody so dark and dull, and everyway sunk and stupefied, that a Series of Historical Portraits, especially of his native country, would not be of real interest to him;—real I mean, as coming from himself and his own heart, not imaginary, and preached-in upon him by the newspapers; which is an important distinction.

And all this is quite apart from the artistic value of the portraits (which also is a real value, of its sort, especially for some classes, however exaggerated it may sometimes be): all this is a quantity to be added to the artistic value, whatever it may be; and appeals to a far deeper and more universal principle in human nature than the love of pictures is. Of which principle some dimmer or clearer form may be seen continually active wherever men are;—in your antiquarian museum, for example, may be seen, giving very conspicuous proofs of itself, sanctioned more or less by all the world! If one would buy an indisputably authentic old shoe of William Wallace for hundreds of pounds, and run to look at it from all ends of Scotland, what would one give for an authentic visible shadow of his face, could such, by art natural or art magic, now be had!

It has always struck me that historical portrait-galleries far transcend in worth all other kinds of national collections of pictures whatever; that in fact they ought to exist (for many reasons, of all degrees of weight) in every country, as among the most popular and cherished national possessions:—and it is not a joyful reflection, but an extremely mournful one, that in no country is there at present such a thing to be found. What Louis-Phillippe may have collected, in the way of French historical portrait, at Versailles, I did not see; if worth much (which I hear it is not), it might have proved the best memorial left by him, one day. Chancellor Clarendon made a

brave attempt in that kind for England; but his House and 'Gallery' fell all asunder, in a sad way; and as yet there has been no second attempt that I can hear of.

DR. REUBEN GOLD THWAITES.

American historical and library interests are laid under a great burden by the death on October 22, 1913, of Reuben Gold Thwaites. He was born May 15, 1853, in Massachusetts, where he availed himself of the grammar and high schools of Dorchester. He then gave liberally that self instruction which produces the highest practical efficiency, the fullest success and highest honors. He became a printer and then the editor of the *Wisconsin State Journal* for ten years.

In 1886 he transferred his activities to the Wisconsin State Historical Society. Dr. Lyman C. Draper, with a matchless zeal to collect, had not had the time to arrange and edit an almost marvelous collection of Western historical manuscripts he had gathered. In this Doctor Thwaites found an ideal field for the exercise of his talent to organize, arrange and edit, with which he combined the rare collector's qualities. From the lives of these two great and good men, the State of Wisconsin gathers a harvest of historical accomplishment that directly will sustain her and indirectly will encourage her sister states for generations in struggles toward ideal administration of historical work.

The Historical Department of Iowa from its inception and the present editor of the *ANNALS* from the beginning of his work were ever welcomed by Doctor Thwaites in our appeals for counsel on our problems. The bar or the clergy know no finer ethics than those in the professional intercourse of Doctor Thwaites with us. His was the most ideal personal influence in the western historical field. Wisconsin historical interests are too well grounded to flag from even her great loss. Yet even in Iowa it will be sadly felt.

¹Carlyle's *Critical and Miscellaneous Essays*—National Exhibition of Scottish Portraits, Lond. 1869.

INTERPRETATION OF THE CAPITOL GROUNDS EXTENSION LAW.

The Iowa Supreme Court on December 15, 1913, unanimously concurring in an opinion by Hon. Scott M. Ladd, one of its members, sustained in all its essential parts Chapter 14, Acts of the 35th General Assembly. The opinion follows:

Appeal from District Court, Polk County, J. H. Applegate, Judge.

Action by citizens of Van Buren and Wapello Counties to enjoin the executive council of the state from purchasing certain real estate and from issuing interest-bearing certificates in payment thereof as authorized by chapter 14 of the Acts of the Thirty-Fifth General Assembly. Decree was entered enjoining the issuance of certificates in payment of said property; otherwise the relief prayed was denied. Both parties appeal, that of defendants being first perfected. Reversed.

LADD, J. The executive council of the state consists of the Governor, Secretary of State, Treasurer of State, and the Auditor of State. It employs a secretary. The object of this action is to enjoin the executive council as such and each member thereof from acquiring for the state the property described in and issuing the certificates authorized by chapter 14 of the Acts of the Thirty-Fifth General Assembly, for that, as is contended, the provisions thereof are in violation of sections 2 and 5 of the seventh article of the Constitution of the state. Section 2 of the act in question authorizes and directs the executive council, for the purpose of extending the capitol grounds, to "purchase from time to time within said period of ten years any or all of the real estate not already owned by the state" appearing on the annexed plat.

Lots 1 to 6, inclusive, in block 5, four lots in block 4, and five lots in block 7 belong to the state as, of course, does the tract on which the capitol building is located. The purchase directed is of all other lots in the plat. With streets vacated there are over 50 acres in all and, if laid out and improved, as required, in accordance with the Allison Memorial Commission plan on file in the office of the Secretary of State made a part of the act by section 3, the grounds undoubtedly would be artistic and of great beauty. For the purpose of acquiring the land necessary and improving the grounds, section 1 of the act provides that "there shall be levied annually for a period of ten (10) years, commencing with the first

levy made after the passage of this act, a special tax as follows; in each of the years 1913 and 1914, one-half mill on the dollar of the taxable property in the state, and in each of the remaining eight years such rate of levy to be fixed by the executive council as will yield approximately one hundred and fifty thousand dollars (\$150,000) annually. The proceeds of such levies shall be carried into the state treasury to the credit of a fund to be called the capitol grounds extension and improvement fund. The amount so realized by said levies shall be in lieu of all of the appropriations for said purposes during the said period of ten years." Section 4 authorizes the executive council to acquire any or all of said real estate for the state and in so doing purchase same "on option, contracts or in any other way which said council may deem expedient, * * * at any time within said period of ten years at its discretion and as the amount of money in said fund at any time may enable them to do. Payment for said real estate may be made by said executive council certifying to the State Auditor the amount due to any person at any time and the auditor then drawing a warrant in his favor on the State Treasurer out of the fund herein created." Section 5 relates to condemnation of any property the council is unable to purchase, and section 6 to the leasing of property purchased until buildings thereupon are removed and the disposition of said buildings, the proceeds to be included in the said fund. Section 7 directs the sale of a tract of land known as Governor Square, the proceeds to be turned into said fund, and section 8 declares that no part of the purchase price nor warrants or certificates issued therefor or interest thereon shall be paid otherwise than from said fund.

Were the lots to be paid only from this fund known as the capitol extension and improvement fund derived from the source mentioned on warrants drawn on the state treasury, the foregoing sections, it will be noted in passing, are complete in themselves and adequate for the objects intended. The sections following relate entirely to the anticipation of part or all of said fund. Section 9 enacts: "That for the purpose of accomplishing the earliest possible completion of the work contemplated herein and the carrying out of the plans provided for in this act, the executive council may anticipate the collection of the tax herein authorized to be levied for the extension and improvement of the capitol grounds, and for that purpose may issue interest-bearing warrants or certificates carrying a rate of interest not to exceed five per cent. per annum to be denominated 'capitol grounds extension and improvement warrants or certificates' and said warrants or certificates and interest thereon shall be secured by said assessment and levy and shall be payable out of the respective funds hereinbefore named, pledged to the payment of the same, and no warrants shall be issued in excess of taxes authorized or to be levied to secure the payment of the same.

It shall be the duty of the State Treasurer to collect said several funds and to hold the same separate and apart in trust for the payment of said warrants or certificates and interest and to apply the proceeds of said funds pledged for that purpose to the payment of said warrants or certificates and interest. Such warrants or certificates shall be issued in sums of not less than one hundred nor more than one thousand dollars each running not more than ten years bearing interest not exceeding five per cent. per annum, payable annually or semi-annually and shall be substantially in the following form." Following this is a form of such certificate, not necessary to be set out. Section 10 directs that the certificates be issued only in pursuance of a resolution of the executive council specifying conditions as to amount, rate of interest and the like. Section 11 provides for the registry of said certificates, with the Treasurer of State, and section 12 authorizes the sale thereof at not less than par value. The contention of the plaintiffs is that the entire act is in violation of sections 2 and 5 of article 7 of the Constitution of the state, in that it authorized the creation of an indebtedness in excess of that therein permitted, without submitting the question to a vote of the people. These constitutional provisions may as well be set out:

"Sec. 2. The state may contract debts to supply casual deficits or failures in revenues; or to meet expenses not otherwise provided for; but the aggregate amount of such debts, direct and contingent whether contracted by virtue of one or more acts of the general assembly, or at different periods of time, shall never exceed the sum of two hundred and fifty thousand dollars; and the money arising from the creation of such debts shall be applied to the purpose for which it was obtained, or to repay the debts so contracted, and to no other purpose whatever."

"Sec. 5. Except the debts hereinbefore specified in this article, no debt shall be hereafter contracted by, or on behalf of the state, unless such debt shall be authorized by some law for some single work or object, to be distinctly specified therein; and such law shall impose and provide for the collection of a direct annual tax, sufficient to pay the interest on such debt, as it falls due, and also to pay and discharge the principal of such debt, within twenty years from the time of the contracting thereof; but no such law shall take effect until at a general election it shall have been submitted to the people, and have received a majority of all the votes cast for and against it at such election; and all money raised by authority of such law, shall be applied only to the specific object therein stated, or to the payment of the debt created thereby; and such law shall be published in at least one newspaper in each county, if one is published therein throughout the state, for three months preceding the election at which it is submitted to the people."

In determining whether the act in authorizing the issuance of interest-bearing certificates or warrants is inimical to these provisions of the Constitution, several questions necessarily are involved: (1) Would these certificates, if issued, constitute "expenses not otherwise provided for" within the meaning of section 2 of article 7 of the Constitution? (2) Can the executive council anticipate the revenues collectible within the biennial period by the issuance of certificates in advance payable therefrom as authorized without creating a debt within the meaning of these sections? (3) If these inquiries be answered in the affirmative, should the act be interpreted as empowering the executive council to issue certificates in anticipation of current revenues and in an amount beyond these not exceeding \$250,000, or equaling the collectible taxes during the entire ten years within which levies are directed to be made? (4) If the latter be the true construction, then does the act authorize the creation of a debt in excess of the constitutional limitation?

I. Plainly enough, the certificates contemplated in section 9 of the act were not intended "to supply casual deficits or failure in revenues." Might they be issued "to meet expenses not otherwise provided for"? The state was created by the people to perform for them certain functions, the necessity for the performance of which was the only object of its creation. These are in part defined in the Constitution and more fully in the statutes. The three co-ordinate branches of government created for the protection and well-being of the people must be maintained and afforded facilities and equipment essential to the efficient discharge of the duties devolving upon them. The insane and feeble-minded are to be cared for, those convicted of crime restrained of their liberty, the free school system maintained, opportunities for higher education afforded, and institutions provided for the deaf, dumb, and blind, as well as for such others as the humane sentiments of modern life deem proper subjects for the care of the state. The attainment of these objects involves the exercise of great business sagacity and the expenditure of large sums of money, and the manifest design of the people in inserting this clause in the Constitution was to enable those charged with the duty of providing necessary funds for the maintenance of the government to exercise some discretion in distributing the burden of taxation, in event unusual or extraordinary expenditures are deemed necessary beyond the period for which ordinary revenues are provided. To meet expenses not otherwise provided for—that is, not made available in some other or different way or manner—the General Assembly is authorized to incur an indebtedness to a limited amount precisely as is done in the exigencies of private business. In other words, the state is not denied the advantage of postponing payment of expenses which may be extraordinary or

unusual which are found beneficial in the ordinary enterprises of life. The objects for which "expenses" may be incurred are not defined, but left to the discretion of those endowed with the power of incurring them. "Expense" is defined in Webster's Dictionary as meaning "that which is expended, laid out or consumed; outlay; and hence the burden of expenditure; charge; cost." And "price" is said to be a synonym. Expenses when incurred is evidently what is meant, for there could be no expense by the state unless made in pursuance of law and the debt authorized may be created to meet such expenses. Manifestly, the levy of a tax collectible in the future would not constitute a provision for expenses presently created, and the mere fact that a future levy of taxes is authorized and the collection of these may subsequently be available to discharge the obligation assumed in the present expenditures does not obviate right to create debt therefor. In other words, a statute may authorize expenses to be incurred, and at the same time direct the issuance of evidence of debt in the way of bonds, warrants, or certificates, to meet such expenses and in the same act provide for taxation out of which to extinguish the debt. The act under consideration directs the executive council to purchase the grounds about the capitol and thereby to incur an expense. For this purpose, the levy of one-half of a mill on all taxable property of the state is ordered for each of the years of the biennial period, 1914 and 1915. Whether the revenue for these years available for the purchase of the grounds will be sufficient was not known. Were this inadequate, however, there would be no fund to meet this deficiency, and such deficiency might not be anticipated as will hereafter appear without incurring an indebtedness by the state. True, the levy of taxes sufficient to provide \$150,000 per annum thereafter is authorized by the act, but this might not be available "for the purpose of accomplishing the earliest possible completion of the work contemplated."

The manifest design in allowing the executive council to issue certificates payable out of funds other than those collected during the biennial period was to assure "the earliest possible completion of the work," and we are of opinion that any deficiency in the revenues collectible within that period and available for this purpose would be an expense to meet which a debt against the state not exceeding \$250,000 may be incurred by the issuance of certificates or warrants in pursuance of the last four sections of the act under consideration.

II. Certificates or warrants issued in anticipation of revenues collectible within the biennial period and payable therefrom do not create a "debt" within the meaning of that term as used in the Constitution. The General Assembly convenes on the second Monday of January of the odd-numbered years and provides for reve-

nues necessary to the performance of the different governmental functions during the ensuing two years. Its power of taxation is unlimited, and the taxes authorized to be levied and collected are legally certain to reach the state treasury, and therefore are as certainly available to meet the expenses authorized as are those collectible annually by a municipality.

It is well settled in this state that a municipality may anticipate the collection of taxes, and in defraying ordinary expenses may make appropriations and incur valid obligations to pay "in advance of the receipt of its revenues," even though the treasury be empty, and no actual levy made, and the city be otherwise indebted to the full limit. *Grant v. City of Davenport*, 36 Iowa, 396; *Dively v. City of Cedar Falls*, 27 Iowa, 227; *French v. City of Burlington*, 42 Iowa, 614; *Phillips v. Reed*, 107 Iowa, 331, 76 N. W. 850, 77 N. W. 1031; *City of Cedar Rapids v. Bechtel*, 110 Iowa, 198, 81 N. W. 468. In some other states the levy of taxes must actually have been made in order to warrant the anticipation of revenues by issuing warrants in advance.

In the *Phillips Case* it was said, in speaking of certain warrants: "If the city had on hand or in prospect, at the time these warrants were issued, funds with which to meet them without trenching upon the rights of creditors for current expenses of the city, then the warrants were valid, although such funds may have been thereafter wrongfully applied to another purpose."

Warrants issued in anticipation of taxes are held not to constitute a debt on the theory that moneys, the receipt of which is certain from the collection of taxes, are regarded as for all practical purposes already in the treasury and the contracts made upon the strength thereof are treated as cash transactions. Even though a municipality is indebted to the constitutional limit, this does not prevent it from levying such taxes as are authorized by law nor from issuing warrants within the limits of such levy in anticipation of their collection, and, if the warrants issued are within the amounts lawfully levied, they do not create an additional debt. The proper officers of the state, as the executive council in this state, may anticipate the revenues to be expended by it which the Legislature has authorized to be collected within the biennial period, and contracts contemplating the appropriation of these are not regarded as debts against the state. As said by Field, C. J., in *State v. McCauley*, 15 Cal. 430: "The eighth article (that limiting the state indebtedness corresponding to this state) was intended to guard the state from running into debt, and to keep her expenditures, except in certain cases within her revenues. These revenues may be appropriated in anticipation of their receipt as effectually as when actually in the treasury."

The same rule was laid down in *State v. Medberry*, 7 Ohio St. 529; the court saying: "So long as this financial system is carried

out in accordance with the requirements of the Constitution (two years' restriction), unless there is a failure or defect of revenue, or the General Assembly have failed, for some cause, to provide revenue sufficient to meet the claims against the state, they do not and cannot accumulate into a debt. Under this system of prompt payment of expenses and claims as they accrue, there is, undoubtedly, after the accruing of the claim, and before its actual presentation and payment, a period of time intervening in which the claim exists unpaid; but to hold that for this reason a debt is created would be the misapplication of the term 'debt,' and substituting for the fiscal period a point of time between the accruing of a claim and its payment, for the purpose of finding a debt; but, appropriations having been previously made and revenue provided for payment as prescribed by the Constitution, such debts, if they may so be called, are, in fact, in respect of the fiscal year, provided for, with a view to immediate adjustment and payment. Such financial transactions are not therefore to be deemed debts." The same rule was laid down in *State v. Parkinson*, 5 Nev. 15.

The Supreme Court of South Dakota was called upon to advise the Governor of that state concerning the anticipation of the revenue by the issuing of warrants, and in response thereto said: "By general law, the Legislature has provided for the levy of an annual tax for meeting the ordinary expenses of the state. By so providing, in a constitutional manner, for the levy of a sufficient tax, it has provided a revenue, to the extent of the tax, for the payment of the ordinary or current expenses of the state. It may then make appropriation of such revenue for diverse and specific purposes, included within the ordinary expenses of the state, and may authorize the issue of evidence of such appropriation in the form of warrants, without incurring an indebtedness therefor, within the meaning of said section 2, art. 13, of the Constitution. If this were not so, then the appropriations of each Legislature in excess of the cash actually in the hands of the State Treasurer, and in the fund from which such appropriations were made, would, to the extent of such excess, constitute the creation of a debt against the state. It is well understood that the aggregate of the general appropriations of each Legislature in this, as in other states, generally greatly exceeds the amount of actual cash in the hands of the State Treasurer when such appropriations are made. The taxes levied and in process of collection are treated as in the state treasury, though not yet actually paid over to the State Treasurer. It has been ruled in several cases, and by high judicial authority, that state funds, so in sight, but not yet in hand, may be anticipated and appropriated as though actually in possession of the State Treasurer. Critically considered, it may constitute the incurring of an indebtedness; but it is not an indebtedness repugnant to the Constitution,

because its payment is legally provided for by funds constructively in the treasury. If the drawing of a warrant upon the state treasury is the incurring of indebtedness by the state, then the drawing of such warrant would violate the Constitution, even if there was money in the state treasury to pay it, if the constitutional limit of indebtedness had been reached; for there must always be some time intervening between the drawing of the warrant and its payment, and during such time the indebtedness of the state would be increased beyond the constitutional limit. Such an interpretation of the constitutional limitation would obviously be too hypercritical to be practicable or reasonable. It being once established, as we think, it is by the authorities already cited, that the revenues of the state, assessed and in process of collection, may be considered as constructively in the treasury, they may be appropriated and treated as though actually and physically there; and an appropriation of them by the Legislature does not constitute the incurring of an indebtedness, within the meaning of section 2, art. 13."

See, also, *In re Incurring of State Debts*, 19 R. I. 610, 37 Atl. 14, where the court said, in answer to the inquiry from the Governor as to whether the General Assembly could in time of peace incur state indebtedness or borrow money in excess of the limit in the Constitution, that "in thus answering (in the negative) we do not mean to be understood that the General Assembly may not make appropriations or authorize the expenditure of money to an amount exceeding the sum named. The power of taxation resides in the General Assembly, and therefore it has power to raise by taxation such sums as it may deem necessary for the expenses of the state and the public benefit; and it may appropriate or authorize the expenditure of the money so raised for the purposes for which they are raised, and even, as we think, in anticipation of their actual payment into the state treasury."

The principle seems well established in reason and by authority. The power of General Assembly to tax is unlimited save by the two years' period. Of course, it may enact laws exacting the levy of a tax annually for any period in the future, but this is always subject to repeal or modification by subsequent General Assemblies. But revenues provided for during the biennial period are available to a legal certainty, for no General Assembly will convene to repeal or modify within that time. The anticipation then by the issuance of warrants or certificates to be paid therefrom is of the revenues certainly to be collected, and therefore is in the nature of a previous appropriation of funds subsequently to reach the treasury, the setting apart a portion thereof for a specified purpose, rather than the creation of an indebtedness against the state.

(To be continued in April number.)

NOTABLE DEATHS

L. J. PALDA was born at Vodian, Bohemia, October 23, 1847; he died at Cedar Rapids, Iowa, June 9, 1913. At the early age of fourteen years he went to Vienna and learned the trade of silk weaver, educating himself in his spare moments, and by travel through Germany and Switzerland. In 1867 he emigrated to the United States, making short stays in Cleveland, Pittsburgh, Philadelphia, New York and Michigan, working as a common laborer, painter, weaver and cigar maker. In 1870 he began editorial work on the *National News*, a Bohemian paper published in Chicago. He soon returned to the cigar manufacturing business which he followed for many years in connection with his literary labors. In 1875 he commenced publishing a labor paper called the *Workingman's News*, which while published at New York was known as the most influential Bohemian publication in this country. Mr. Palda became prominent among labor organizations as a lecturer and as an organizer of workmen's associations throughout the country. In 1879 he removed to Cedar Rapids where he was an influential and honored citizen until his death. He was correspondent for several newspapers in the United States and was interested in the educational work of his city.

CASSIUS M. BROWN was born in Knox county, Ohio, November 7, 1845; he died at Sigourney, Iowa, May 8, 1913. He received his education in the common schools of his native county and was student for some time of Kenyon College. His early life was that of a farmer. He enlisted in the 142d Ohio Volunteers and served until the close of the war. He removed to Iowa in 1868, settling in Muscatine and taking up the study of law in the office of Hon. Thomas Hanna. He graduated from the law department of the State University of Iowa in 1871, and removed the same year to Sigourney where he formed a partnership with Hon. E. S. Sampson. He was elected State Senator from the Twelfth District and served during the Nineteenth and Twentieth General Assemblies.

THOMAS A. THORNBURG was born in Wayne county, Indiana, April 9, 1847; he died at his home in Linden, Iowa, July 1, 1912. He came with his parents to Dallas county, Iowa, in 1856, and acquired his education in the public schools and at the State University of Iowa. At the age of seventeen he enlisted in Company C, Forty-sixth Volunteer Infantry, and served until mustered out in the fall of 1864. He returned home, finished his course at the university, and then engaged in farming and stock raising which he followed very successfully throughout his lifetime. He was interested for many years in the township and school affairs of his district and served as member of the House of Representatives from Dallas county in the Twenty-second and Twenty-third General Assemblies.

JOHN F. WADE was born in Burlington, Vermont, April 7, 1859; he died at Des Moines, September 16, 1913. He removed with his parents to Butler county, Iowa, at an early age and received his education in the common schools of this State. He engaged in

farming and stock raising in Butler county and was also interested in the lumber business. He was a Democrat and took an active part in politics. He represented the Thirty-ninth District comprising Butler and Bremer counties in the Senate of the Thirtieth, Thirty-first and Thirty-second General Assemblies. He was appointed a member of the Board of Control by Governor Carroll in 1909, and lived in Des Moines afterwards, maintaining his residence in Butler county.

SAMUEL H. MOORE was born in Greene county, Pennsylvania, March 9, 1845; he died at Humeston, Iowa, August 20, 1912. He grew to manhood in his native state. He enlisted in the Eighty-fifth Pennsylvania Infantry but was soon transferred to the Eighty-eighth. He participated in the siege of Petersburg, the engagement at Richmond, Ware Bottom Church and Deep Run. At the close of the war he returned to Pennsylvania and lived there until 1870. when he removed to Iowa, settling in Iowa and engaging in farming and stock raising. He held numerous township and county offices and represented Wayne county in the Twenty-fourth and Twenty-fifth General Assemblies.

JAMES A. SKILLEN was born at Cherry Valley, New York, February 26, 1832; he died at Waverly, Iowa, November 7, 1912. He grew to manhood in New York, came west and spent two years in Iowa, returned to New York for a few years and finally in 1862 made his home near Tripoli, Iowa, where he resided for thirty years. He was elected Representative from Bremer county to the Fourteenth General Assembly and served on the Committee on Highways, and was also particularly interested in educational and historical matters. In 1892 he removed to Waverly and for six years prior to his death acted as president of the Waverly Savings Bank.

HENRY C. SCHROEDER was born in Germany, October 5, 1854; he died at his home in Schleswig, Crawford county, Iowa, July 13, 1911. He attended school in Germany until fifteen years of age. He emigrated to the United States in 1870 and located in Illinois where he remained eight years. In 1878 he removed to Crawford county, Iowa. He was a Democrat in politics, and for some years was township clerk and member of the board of supervisors. In 1906 he was elected Representative from Crawford county and served through the Thirty-second, Thirty-second Extra and Thirty-third General Assemblies.

FRANK A. THAYER was born at Monmouth, Illinois, December 22, 1853; he died at his home near Dows, Iowa, March 1, 1913. He removed to Iowa when a boy, locating first at Iowa Falls. When seventeen years of age he removed to a farm in Oakland township, Franklin county, where he maintained his home until his death. He was a genial man, an honored citizen, and held many positions of trust in his township. He was elected Representative from Franklin county to the Thirty-fifth General Assembly, and had served only half of the term when his death occurred.

GEORGE C. CALKINS was born in Glenville, Schenectady county, New York, October 4, 1835; he died June 28, 1911. His education was received in the common schools of Schenectady county and in

Kingsborough Academy. In 1859 he removed to Illinois where he remained as teacher, farmer and auctioneer until 1871. In that year he removed to Adams county, Iowa where he made his home until his death. He was a Democrat in politics and represented Adams county in the House of the Thirty-second, Thirty-second Extra and Thirty-third General Assemblies.

ZENO H. GURLEY was born at LaHarpe, Illinois, February 24, 1842; he died at his home in Canton, Missouri, November 22, 1912. He was for many years a leading minister and apostle of the Reorganized Church of Jesus Christ of Latter Day Saints. He served as Representative from Decatur county in the Twenty-fifth, Twenty-sixth and Twenty-sixth Extra General Assemblies, and for some time as deputy warden of the penitentiary at Anamosa.

HIRAM DEWELL was born in Indiana, May 20, 1849; he died at Clarence, Cedar county, Iowa, on July 19, 1911. He removed to Cedar county in 1855, where he became a successful farmer, interested in all local affairs, particularly school matters. He served as Representative from Cedar county in the Thirty-second, Thirty-second Extra and Thirty-third General Assemblies.

THIRD SERIES.

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APRIL, 1914

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A HISTORICAL QUARTERLY



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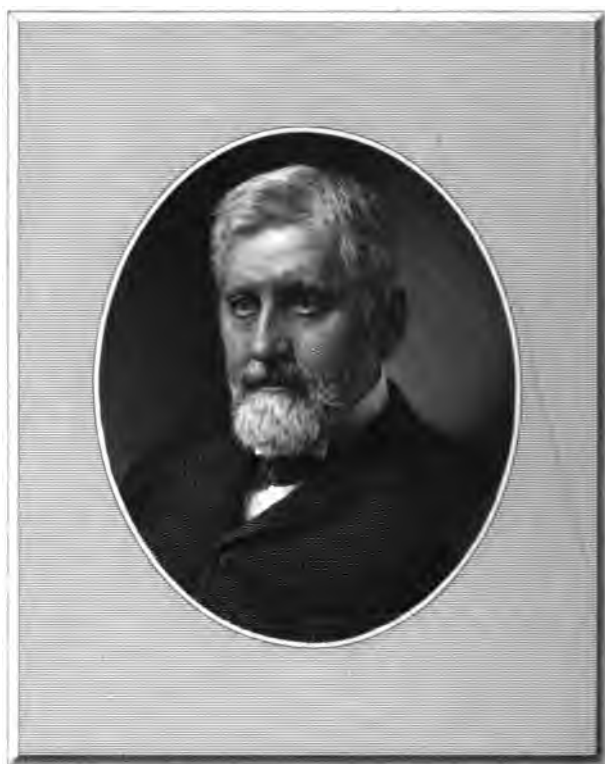
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HON. WILLIAM P. ALLISON

BY FRANK STRATTON & COMPANY

ANNALS OF IOWA.

VOL. XI, No. 5.

DES MOINES, IA., APRIL, 1914.

3D SERIES

WILLIAM B. ALLISON.¹

By HENRY CABOT LODGE.²

Advancing years impose their penalties upon every man. In their silent action there is a terrible certainty and an unsparing equality of distribution, but among all their warnings, among all the milestones which they place to mark the passage of time, none is more mournful than the task of reading the letters and biographies of those whom we have known and loved, or the sad duty which compels us to give utterance to our words of praise and affection for the friends, the companions, the long-trusted leaders who have gone. Yet all these trials must be faced as we look into the eyes of Fate or listen to its knocking at the door. All that we can do is to meet them seriously and solemnly, yet in the right spirit, without empty and helpless lamentations.

I recall with great vividness my first meeting with Senator Allison at dinner in 1874, at the house of Mr. Samuel Hooper, a distinguished Member of Congress representing one of the Boston districts. The party was a small one, consisting only of our host, his nephew, myself, Senator Conkling, and Senator Allison. I was a boy just out of college and Mr. Allison appeared to me a person of great age and dignity. As a matter of fact, he was only forty-five, which seems to me now quite young, and he had but just begun that career in the Senate which was destined to prove so long and so memorable. Mr. Hooper's nephew, a classmate and lifelong friend of

¹Revised and adapted from a memorial address in the United States Senate, February 6, 1909.

²Henry Cabot Lodge was born in Boston, Massachusetts, May 12, 1850. He was graduated from Harvard College in 1871 and from the Law School of Harvard University in 1875. He was editor of the *North American Review* from 1873 to 1876 and of the *International Review* from 1879 to 1881. He has served in the Massachusetts Legislature, as delegate to the Republican National Conventions of 1880 and 1884, as member of the National House of Representatives and as United States Senator, since 1893.

mine, and I sat by and listened to all that was said that evening with deep and silent interest. The talk was very good and well worth listening to. To those who remember the men it is needless to say that Mr. Conkling took the unquestioned lead in the conversation, and that when he criticised, as he frequently did, he spared no one.

My remembrance of Mr. Conkling and of the character of his talk is very sharp and clear-cut, and that is all. My recollection of Senator Allison is equally distinct, but it brings with it a gentle memory of the kindness of a distinguished and much older man to a young fellow whom he never expected to see again, of a sense of humor as kindly as it was keen, of a good nature which took even Mr. Conkling's gibes with a quiet dignity and easy patience, very pleasant to witness and very pleasant still to recall.

The qualities which I then saw, as I thought, in Mr. Allison were really among his most conspicuous attributes. He did not wear his heart upon his sleeve, but his gentleness, his humor, his innate kindliness were as apparent to the casual and humble stranger as to those who knew him best. He did not cover them with austerity, solemnity, or pomposity and reserve them only for the benefit of the leading actors upon the great stage where his life was passed, but he gave them freely to all the world, and made the world thereby, so far as his influence went, a happier place to live in.

After I went to Washington it was my good fortune to know Senator Allison better while I was still in the House, and for fifteen years in the Senate I saw him constantly and intimately every day of each session. The nearer view changed in no respect, although it enhanced, what my first brief glance of him had revealed. But years of a common service disclosed to me what I had only dimly perceived before, his qualities as a public man and as a statesman, for he was universally admitted to deserve the latter title long before the fulfillment of the last hard condition which turns a successful politician into a statesman. It is of Mr. Allison in this capacity that I desire particularly to speak. His life will be told by his biographers in the time to come with adequate

materials and in the large historical proportions which it so well deserves. My purpose is a very modest one, merely to attempt to give my impression of Mr. Allison as a statesman and of the type of public man which he presented in his long, useful, and honorable service of more than forty years. That service was crowded with incessant work, for no more industrious, no more conscientious man ever lived. The hardest suffering of his last year was the sense that he could not do all the work which pertained to his high position as he had been wont to do it.

The great measures to which, as the years passed by, his name was attached would be an imposing list; and if we were to add to this those in which he had a large, shaping, and even controlling part, it would fill pages. His monument as a law-maker, a great function when properly fulfilled, is to be found in the statutes and the history of the United States during the last forty years. But his most valuable work, if we would look at it as a whole, as his personal contribution to the welfare of his fellow-beings, is not conspicuous in the printed pages of books of law or books of history, now that he is dead, any more than it was in the mouths of men while he was living.

To value him rightly we must understand the Senate and its daily work. The brilliant oration, the violent diatribe, the coarse invective, the vulgar abuse are spread in large letters and in long columns before the public eye; and except in the case of a great speech, contributing to the settlement of a great question, they fade as quickly as the tints of the rainbow on the breaking wave and are rarely able to find, in the days when the account is made up, even the slight remembrance of a historian's footnote. No mistake is commoner than that which confuses notoriety with fame. Fame may be the last infirmity of noble mind, but it is built upon the rocks of deeds done, while notoriety is always fleeting and generally vulgar. Mr. Allison's fame rests securely not only upon the great historic measures in which he had a leading share, but upon his steady work done day by day, quietly, diligently, thoroughly, without the glare of headlines, for the

most part unobserved and largely unappreciated by the American people, who profited so greatly by its results. Senator Hale from Maine had a favorite phrase of description in regard to some of those who served in the Senate. When he would praise highly, he said such a man was "a good Senator." This has nothing to do with character or disposition, or with virtue, public or private, but means that a Senator does the work of the Senate well—the work of carrying on the Government, of advancing good measures and arresting bad ones, the obscure work, the essential work, in which there is much labor and little glory and which demands constant attendance and unflagging attention. Tried by this exacting test, who would hesitate to say that for many years Mr. Allison was our best Senator?

He was a party leader, a wise adviser and framer of policies, but he was also, and above all, one of the men who carry on the Government. They are not many at any time and they are absolutely essential at all times. In the midst of political strife, in the tumult which attends the rise and fall of parties, to use the English phrase, "The King's Government must be carried on." Whatever storm may rage, however bitter and loud may be the strife of contending factions, the public debts must be paid, national credit maintained, the army and navy kept on a proper footing, the mails must be delivered, and the revenue collected. No matter what happens, some one must be at work "*ohne hast, ohne rast*" to see that these things are done in due season.

Macaulay has said that Attila did not conduct his campaigns on exchequer bills, but we do; and what is more important, we maintain the orderly movement of our Government in that way from day to day. It is a heavy burden and the country owes much to those who bear it. This was Mr. Allison's task during more than the lifetime of a generation. Beyond any one in our time, perhaps beyond any one in our history, did he bear this great responsibility, and he never failed in his duty. For thirty-six years a member of the Committee on Appropriations, for twenty-five years its chairman, he became a sort of permanent chancellor of the exchequer. In

the long list of eminent men who have filled that great office in England there is not one who has surpassed him in knowledge, in the dexterity and skill with which he drafted laws and reconciled conflicting views, in financial ability or in the strength of capacity with which he gauged the sources of revenue and adjusted expenditures to income. No one ever applied to him the cheap title of "watchdog of the Treasury," whose glory comes merely from barking so as to split the ears of the groundlings and whose niggard and unenlightened resistance to every expenditure, no matter how meritorious, usually causes enormous and increased outlay in the end. Mr. Allison was too great as well as too experienced a man to think parsimony was statesmanship, and not to know that a wise liberality was as a rule the truest economy of the public money.

Very few persons realize what labor, what knowledge, what experience he brought to his work. We saw a great bill reported, we watched him handle it with a tact and skill which I have never seen equaled, we noted that he was familiar with every item and could answer every question, and we were satisfied with the result and did not pause to consider what it all meant. To achieve this result implied a minute knowledge of every branch of the Government and every detail of expenditure which had cost days and nights of labor and years of experience. Scrupulous honesty, of course, was his, but that would have gone but a short distance without the trained intelligence, the unswerving diligence, the disciplined mind which controlled the disposition of the millions upon millions that passed unscathed through his strong, clean hands.

The standing joke about his caution and his avoidance of unqualified statement, which no one enjoyed more than he, grew out of certain temperamental attributes. But it is well to remember that, however guarded he was in speech, he never failed to vote, which is the real and final index of political courage and of constancy of opinion and conviction. He may have put clauses of limitation into what he said, but he never shrank from, never evaded, a vote.

Presidents and cabinets, Speakers and House chairmen came and went, but he remained at his post until he was regarded in the field of finance and appropriation almost, as was said of Webster, like an institution of the country. Six times did the legislature of Iowa elect him to the Senate. Pride in the State, pride in him, and personal affection counted for much in their action; but I can not but think that they realized also their responsibility to the country which prized so highly the services of their Senator. It is the fashion, just now, to decry legislatures, but we shall wait long before we find any form of election which will represent as truly the real will, not only of the people of a State, but of the people of all the States, as did the legislature of Iowa during those thirty-six years. It will be a sorry day for Government and people alike when we lose that permanence and continuity, that directing and guiding force, which such careers and such service as Mr. Allison's have given to the Senate.

Where, then, shall we rank him? To put him out of or above the class to which he rightfully belongs would not be the part of love and affection, but of vain eulogy, which perishes with the breath which utters it. He did not stand in the class with Lincoln, savior of the state, greatest, as an English historian has said, of all the figures of the nineteenth century. He did not reach that lonely height. Nor was he one of the class of men like Bismarck and Cavour, builders of nations, relentless wielders of armies, masters of all the subtle arts of diplomacy. Mr. Allison belongs to that class of statesmen of which the history of the English-speaking race furnishes, happily, many examples. They are the men who carry on the Government and who have made possible the practical success of free representative institutions. Wise, farseeing, prudent, devoted to their country, and abounding in good sense, they command by their absolute honesty and capacity the entire confidence of senates and parliaments. Among the chief statesmen of this class Mr. Allison holds his high place.

If Mr. Allison had done the work and held the place in England that he did and held in America, his memoirs would appear in fit and stately volumes like those which recount

the life of the late Lord Granville, whom Mr. Allison resembled in service and character, although the fields of their activity were different. Had he been a great English statesman, as he was a great American statesman, his statue would have its place in the Capitol, the scene of his labors, as at Westminster we find the statues of English prime ministers and parliamentary leaders, many of whom Mr. Allison surpassed in all that goes to make a statesman. I trust that this may yet be done.

I say all this of Mr. Allison, not in the beaten way of eulogy or tribute, but because I wish, by historical standards and, so far as possible, with the coolness of history, to vindicate the place of a man who was a great public servant, a statesman as eminent as he was modest, and to whom this country owes a large debt, not merely for his lifelong labors, but for the example he set to us all and the dignity he gave to the Government of the United States.

And yet, when everything has been said, strive as hard as we may to govern ourselves by the tests of history and to award to Mr. Allison the place which was rightfully his, and which all men should acknowledge, at the end it is the man of whom we think and not the Senator. His death meant a personal loss to all his friends. His abilities, his honesty, his unstinted devotion to the country, his fine character, his keen sense of humor, we do well to tell them over. He fully deserves it all. But what history or posterity can not feel or know is the one thing we feel most and know best. He inspired love and affection. He was beloved by all who knew him. Great powers were his, but the greatest of all his attributes was that kind, warm heart, that goodness to others which cast a spell over everyone who came within his influence.

His life was gentle, and the elements
So mix'd in him that Nature might stand up
And say to all the world, "This was a man."

EARLY COMMERCIAL TRAVELLING IN IOWA.

BY FRANK M. MILLS.

In 1868, while employed on the old *Iowa State Register*, I suggested the formation of the Old Settlers Association, and called a meeting at the Des Moines House for the purpose of organization. It so happened that I could not be present. There were a goodly number of first settlers there, so they constituted themselves charter members, and limited the first-class members to those who came prior to January 1, 1856. This cut out many prominent citizens who came in 1856. (After '56 hard times came on and there was not much more immigration here until after the war.) I was out by about ten days. Those who had been here fifteen years were allowed afterward to join.

When I arrived first in Des Moines it was a village of less than two thousand people, but about the liveliest village you ever saw. I came early in January of 1856 on a voyage of discovery, crossed the Mississippi on the ice at Burlington, and took the stage coach there for Fort Des Moines in about the coldest of weather.

When the coach reached Oskaloosa, I was met by an old Indiana friend or two, the versatile "Linkensale" of later newspaper fame, and Ed Alvord, scion of the head of the Western Stage Company, who insisted I should abandon my visit to Raccoon Forks and settle in Oskaloosa, as the Fort was a dirty, sickly hole which never would be more than a struggling hamlet. I told them I would see Des Moines first, but that if I did not like it, I would come back to Oskaloosa.

I decided the future capital was good enough for me, and went back to Indiana to arrange for moving out. In the early spring I came by boat from Cincinnati, arriving at

¹Lurton Dunham Ingersoll.

Keokuk, Iowa's greatest city at that time, on April 4, 1857, my twenty-fifth birthday. There with my wife and ten-weeks' old baby, I took the coach for Des Moines where we arrived after six days and nights constant going, as the frost was just coming out and the roads breaking up. There were twenty in and on our coach. Some of us walked and carried a rail part of the time. In the early morning of the tenth we arrived at Uncle Tom Mitchell's stage station² and waited for daylight and breakfast. There were ten coach loads of us for the same purpose, meeting from Burlington, Iowa City and Des Moines.¹

When we got to the village the river was up and the float bridge swung round and no crossing. Fort Des Moines was a very lively point just then. The Capital had just been voted from Iowa City. The commissioners were in town and had located the site and there was great rejoicing on the East Side and much indignation on the West Side of the river. Land seekers, town-lot speculators and settlers rushed to the new seat of government. Building was rampant, shanties were going up by the hundred, and the noise of the hammer and the saw waked you in the early morning and kept you awake until midnight.

I came here intending to open up a shoe store, but it was impossible to find a vacant room, so John Daugherty, a brick-maker, who came when I did, and I joined forces and started a brick yard. S. A. Robertson arrived the next day after I did and was at once offered the superintendency of the erection of the Savery (now Kirkwood House). Conrad Youngerman had arrived shortly before with but a dollar and a half in his pocket, as he told me, and had started a brick business. Mr. Robertson also started one and we three good friends, although in a sense competitors, made our impress on the season's building. I furnished the brick for the Sherman block on Court avenue, for the big Methodist church

¹Now Mitchellville, Polk County.—Editor.

²The travel from Keokuk on the Old Dragoon Trail was joined usually by the Burlington travel at Agency City, Wapello County, but often at Brattain's Grove, near Utica, Van Buren County, or above that point. The travel from Davenport, and Iowa City, Dubuque, Marion and Marengo joined the Old Dragoon trail usually near Mitchellville, Polk County.—Editor.

where the Iowa Loan & Trust Building now stands, for the three-story Jim Campbell building for steamboat supplies on the point, for the Jones Hotel on the East Side, and many other buildings, beside piecing out the Savery House, the Exchange Block, and other buildings, mainly supplied by my competitors. Near the close of the season Mr. Daugherty said the prudent thing was to stop as the weather might block us. However, I was ever optimistic so bought his interest in the plant and hired him to burn another kiln, which proved a success. I sold the kiln to A. Newton to build his fine home on Fifth street, and cleaned up \$800 profit, which, with what I brought with me and my share of the summer's business, gave me a capital of \$3,500 to start my shoe business. I also sold eighty acres of land adjoining Isaac Cooper's farm on Four Mile Creek, which I had bought a year or two before at five dollars per acre, for \$800, with which I bought a lot next the Baker Drug Store on Court avenue.*

I graduated in the brick business in the fall, but Robertson and Youngerman continued, and each of them accumulated in it at least a half million dollars, and were to the last among the city's most prominent and progressive citizens.

To secure a location, I was compelled to buy a building on Court avenue for \$1,200 cash. Not to encroach on my store capital, I borrowed of Col. J. N. Dewey the necessary sum for six months at forty per cent interest per annum, the standard rate then, which I was able to pay at maturity. Col. Dewey always was a good friend, but seemed to consider himself thereafter a sort of benefactor and sponsor for my success.

At the same time I started my shoe store my brother Webb[†] and my older brother J. W. and myself each put in two hundred dollars to start a small job printing office, that Webb might have something to make a living at until he got ready to go into the practice of law, he having already been admitted to the bar. When I opened my shoe store in the fall

*The Baker Drug Store was on the southeast corner of Third Street and Court Avenue.

[†]Noah W. Mills enlisted May 4, 1861. Appointed Second Lieutenant. Promoted Captain June 1, 1861. Wounded in battle of Corinth, October 4, 1862, "while fighting with the most conspicuous courage and coolness." Was promoted Colonel October 8, 1862, and died of wounds October 12, 1862.

there was but one other shoe store, that of Stacy Johns. B. H. Corning and Jim Kemps made boots and shoes but kept no general stock. Charley Kahler was an apprentice to Corning.

The next spring there were seven shoe stores. In the meantime, the job printing was successful, and having a good opportunity, I sold my shoe business and building and invested the proceeds in the printing concern, and Webb and I undertook to boost the printing and publishing business to the limit of our capacity. Soon we had Tac Hussey, who had come a few months before I did, as our chief artist. We started a blank book and stationery and county supply department, and by dint of hard work and persistent canvassing we acquired an extensive clientage.

When the Civil war broke out, Webb, having been Captain of the Wide Awakes in the Lincoln campaign and an officer in the local military company, insisted that I should waive my right as elder and allow him to go into the field, and that I should remain and look out for the business and our little families. We owed a large sum of money, had much money coming to us, and a considerable stock of merchandise on hand. Things looked pretty blue for the business. In addition to this every man in our employ able to bear arms enlisted. Business was poor. I spent a large part of my time the rest of 1861 in raising the Tenth Iowa Regiment, which I recruited and swore into service and transferred to the State government. I also raised afterward some two hundred recruits for the Second and Tenth regiments.

The loss of my brother at the battle of Corinth left me with the entire responsibility of the business and our families. I had to hustle. I boomed the business to the extent of my capacity, and incidentally, I boomed and boosted for Des Moines to such an extent that for years our business became known far beyond the boundaries of the State, reaching into Missouri and Minnesota, and covering Kansas, Nebraska, the Dakotas, Colorado, Wyoming and other territories, even bearding the lion in his den and making a good customer of Brigham Young himself, selling him and his Zion Co-Operative Mercantile Institution several thousand dollars' worth

of our products in the course of a few years. The first engraving of his portrait was done by us to go on their certificate of stock.

Ours was about the only concern which caused the outside world to pay tribute to Des Moines. In the early days before we had railways, every stage coach which left Des Moines was loaded in its boot with our shipments of orders filled. The United States Express Company reported by Billy Quick that we were their largest customers in the State.

In the meantime our business had grown so that larger quarters were necessary, so we built on Fourth street the building that is the present Munger European Hotel. We added lithographing, wood engraving, map engraving, coloring and mounting, law book and other publishing, stereotyping and electrotyping, we did the State binding and printing for years, published the *Register*, the *Homestead*, and sundry weekly and monthly publications. All of this required some two hundred hands and much money. We found an able and willing helper in Des Moines' first great banker, Frank Allen. We owed him at one time through his three banks here and his two outside ones, over \$150,000. Bad banking it would be called now, but we were depositing much of the time near a thousand dollars a day. He had no other security than his faith in us, yet when he afterwards failed and final settlement was made there was a balance in our favor.

To keep up the volume of business persistent effort was necessary. We kept out from four to a dozen travelers. In the earlier days I went out a good deal myself, in all sorts of weather and conditions that now would not be undergone by any rash traveler. Orders were for much smaller amounts than now, except for county supply for their first outfit. We had aggressive competition for this, and we kept our men on the frontier. We invaded Denver, and our traveler Charley Cranston took an order from a Denver bookseller for several hundred volumes of octavo sheep-bound standard poems. This necessitated a hurried trip to Chicago, where I ransacked wholesale and retail book houses, and then could not half fill

the order. The poets were wanted by the miners and prospectors for company in their lonely mining shacks.

I made many trips over the State and elsewhere, some days driving a whole day for forty miles between houses, and now I frequently find myself wondering how I happened to escape dire disaster in storms encountered. I had often to stop for the night at homesteaders' cabins where the food was only corn bread and sorghum molasses, with parched corn coffee or hickory bark tea. I noticed one thing which seemed rather peculiar; where there was the least to eat there were more fervent thanks for the bounties spread before us. Often too the meal did not seem worth that price.

I went once with a two-horse covered sleigh with a load of county supplies. This trip lasted two whole months, all the time on runners. I went through all the southern part of Iowa, crossing the Missouri River on the ice into Nebraska City, driving on the river and crossing back and forth on the ice all the way up to Sioux City.

Returning, I passed through Shelby county. There was only one house at the county seat, Harlan. I went on to the home of County Judge Tarkington, three miles farther. The Judge was a superannuated Methodist preacher, about seventy-five years old. I was given a bed and being tired slept the sleep of the righteous. The next morning before breakfast, the Judge, taking up the big family bible, said: "Mr. Mills, I am almost blind, won't you please read for me?" I assented, of course, * * * Then we went down on our marrowbones and for awhile silence prevailed. I looked around, and saw that he and all in the house were looking right at me. I suppose they thought I was wrestling with the spirit and having a hard time. I nodded at the Judge who was still looking over his spectacles at me, but he was too blind to see, and as he was deaf as well as blind, I called out at the top of my voice, "Go ahead, Judge," and he did. I presume he had not had an audience from the outside world for some time and he made a wonderful effort. He took me right to headquarters, prayed for me fervently, and asked that I might be spared long in the good work I was doing, and

that I might go on my way securely and safely over the slippery roads, that there might be no accident to myself or team, and that I might have a successful trip, to which I silently added a fervent "Amen." After breakfast, the old gentleman and I talked business, which resulted in an order for something over two thousand dollars for county supplies. It was the quickest answer to prayer in my experience. Only a night or two before, I had accompanied Judge Whiting of Monona County to a dance at Onawa City given to raise money to fence in the graveyard. It was a festive time for a grave purpose, and I danced my best.

No one who did not go about in the early days can have an adequate idea of the discomforts and hardships. The houses were either cabins or shacks built of the native cottonwood lumber, in which the festive bedbug was incubated, and often sleep was impossible in the summer time. Houses were often, in fact generally in the country, of but one room, and when strangers or company came, three or four had to occupy one bed. The feeling of hospitality which was prevalent then did not allow the settler to refuse food and lodging to any one who came along. The houses were too far apart to justify sending the wayfarer to the next house.

I slept more than once in a one-room house where there were fifteen or twenty of us and only two beds. One night when I was on my way to see Judge Morris, who was then county judge of Carroll County, night came on when I was still miles away from my destination. I came to a little cabin where there were four or five rough-looking men about the shed stable, and was allowed to stop for the night. I had over six hundred dollars with me which I had collected, and I was a little nervous. Not long after supper, the old granddad, a veteran of seventy-five or eighty years, got down on his knees, said his "Now I lay me," and rolled to the back of the bed which I was also to occupy. When he got on his knees, my fears vanished.

The man of the house with his wife and four of the children at the foot, took the only other bedstead. A shake-down was made on the floor where four of the men were accommodated.

Boosting in the fifties was altogether another thing from that of the present day. Now it is principally done in the newspapers or speeches, in town meetings and commercial clubs, or somebody goes out with a subscription list. Then we just went out and did things ourselves. It was hard, every-day, constant work. It was work, not words alone. I will present an instance:

About 1868 or 1869 there was a great exodus from the states east of us of land seekers passing through Iowa for homesteads, with "Kansas (or Nebraska) or bust," painted on many of the wagon covers. I thought it a shame they should pass through fair Iowa to so much worse things beyond. We sent one of our *Iowa State Register* force out to the Sioux City land office to make a map of all the vacant land of that land district, and to give a full write-up of every county in the northwest. We published the map and the county write-ups in the *Register*, daily and weekly, and in a pamphlet under the title of "Free Homes in Iowa" and scattered them broadcast. We turned the tide of immigration and before the season was over nearly every quarter section in northwestern Iowa was covered with homesteaders living in cabins or shacks, in tents or wagons. We got the credit of settling up that section, but two or three seasons later when they experienced the great grasshopper raid the settlers anathematized us as much as they had before praised us. Those who could get away did so, but many could not go, and stuck it out, and were well rewarded for remaining. You cannot in all that country now buy a farm for less than from \$150 to \$250 per acre.

When I came to Des Moines the real pioneers were still here, Judge Casady, David Bush, Tom McMullin, Ed Clapp, Wiley Burton, the Lynns, Busicks, the Griffiths, the Doctors Grimmell, and that quartette of Christian pioneer evangelists, Ezra Rathbun, John A. Nash, Thompson Bird and Dr. Peet, followed soon after by Father Brazil and Dr. Frisbie, the latter still with us. This city owes more for the morality and solid character of its people to these six sainted men than to almost every other interest combined.

**"OUR VANISHING WILD LIFE," BY DR. WILLIAM
TEMPLE HORNADAY.**

BY HON. JOHN F. LACEY.

Dr. Hornaday has recently published a very important work on "Our Vanishing Wild Life."

Dr. Hornaday, though born in Indiana, spent his early life in Iowa and is fully identified with the history of his adopted State. He is today one of the world's foremost naturalists, and his latest work comes with authority from a man of his research and experience.

In 1886 he conducted an expedition to investigate the extermination of the buffalo, and his report of that journey is one of the saddest chapters in the history of the wild life of the world. The buffalo was the greatest of the surviving mammals of the new world and existed in such numbers that had they been properly conserved upon the plains there would have been no "high cost of meat" problem for the present generation. In ages they had become adapted to the surroundings of the arid plains. Had the Government asserted title to these herds of millions and regulated their use and slaughter they would have remained a great and permanent asset in the nation's wealth. The complete extinction of the species was narrowly averted and, perhaps, there are today 2,500 to 3,000 successors to those mighty herds. They are scattered in small herds in different parts of the country, under suitable protection, and the complete extinction of the species has been prevented.

Through the awakening of the public conscience by the published report of Dr. Hornaday much of the legislation in behalf of wild life has been accomplished.

It was the good fortune of the writer to have been enabled to secure the enactment of the first national law to protect the remaining wild life in the United States, under which a large



W. B. Hornaday.

number of preserves and breeding grounds for birds and mammals have been set apart upon the public domain. There are now sixty-one of these bird reservations under the "Lacey Act" and the last addition to the list is the entire chain of the Aleutian Islands set aside as bird refuges, reindeer breeding grounds and fisheries.

In all this good work Dr. Hornaday's influence has been most effectual. He is now director of the New York Zoological Park, where his intimate knowledge of the habits and needs of the animals and birds under his charge has enabled him to make his prisoners feel at home instead of chafing in their confinement. One of the rarest of the choice exhibits of that wonderful collection is a small herd of musk oxen which may be seen grazing contentedly in the park.

Dr. Hornaday has done much original constructive work in the way of wild life protection. To do things it is highly essential to know things, and he is a most thorough and painstaking naturalist. No man can make a great success in any undertaking unless he is in love with his work.

His greatest work, no doubt, is the designing and development of the Zoological Park among the rocks of the Bronx region. It is just to the promoters of this great institution to quote what Dr. Hornaday himself says of them:

The original impulse and effort for the creation of the New York Zoological Society came from Madison Grant, then a sportsman and student of nature and by profession a lawyer; and very early in its career the new organization secured the active support of Prof. Henry Fairfield Osborn. It is impossible to overstate the influence of those two men on the Society's undertaking, and their devotion to the task, year in and year out. Without them, New York would have at this time no Zoological Park!

On the other hand the secretary of the New York Zoological Society, Mr. Madison Grant, thoroughly appreciates the worth and work of the director. Mr. Grant says in one of the bulletins of the park:

A portion of this second year of the Society's existence had been devoted by Mr. Hornaday to a thorough study of the Zoological Gardens of Europe, the results of which were embodied in

a report to the committee. Mr. Hornaday also prepared the general ground plan of the Zoological Park, out of which has developed, during the last ten years, the existing scheme of the Park. Modifications have been made in small matters, but on the whole the substantial manner in which Mr. Hornaday's original design has been found to meet actual conditions has proved his foresight in its preparation.

A brief synopsis of the life, travels and literary work of Dr. Hornaday is as follows:

Born Plainfield, Indiana, December 1, 1854, son of William and Martha (Varner) Hornaday; educated Oskaloosa College, 1871 and 1872; Iowa State College, class of '76; Ward's Natural Science Establishment, Rochester, New York; Sc. D., University of Pittsburg, 1906; married at Battle Creek, Michigan, September 11, 1879, to Josephine E. Chamberlain, and has one daughter, Mrs. Helen Hornaday Fielding. Travels (zoological): Cuba and Florida, 1875; South America, West Indies, 1876; Egypt, India, 1876-77; Ceylon, Malay Peninsula, Borneo, 1878; China and Japan, 1879; Smithsonian Expedition for Buffalo, Montana, 1886; hunt in Wyoming, 1889; exploration in Canadian Rockies, 1905; exploration in Arizona and Mexico, 1907. Director New York Zoological Park since 1896. Author: "Two Years in the Jungle," 1885; "American Natural History," 1904; "Taxidermy and Zoological Collecting," 1894; "Camp-Fires in the Canadian Rockies," 1906; "Camp-Fires on Desert and Lava," 1908; "Our Vanishing Wild Life," 1913 (all Scribners); also, "The Man Who Became a Savage," 1895. Independent in politics. Protestant. Fellow New York Academy Sciences and New York Zoological Society; honorary member Philadelphia Zoological Society, Shikar Club, London, and Society for the Preservation of the Fauna of the British Empire; corresponding member Zoological Society of London; ex-president Camp-Fire Club and American Bison Society. Recreation: Big-game hunting. Address: New York Zoological Park, 183d Street and Southern Boulevard, New York City.

Among the practical results of his work are:

The Montana National Bison Herd is an accomplished fact. Fifty-one fine animals now occupy in perpetuity a magnificent

range of twenty-eight square miles, all owned by the United States Government. This was his original proposition.

The Wichita National Bison Herd is also an accomplished fact. Twenty-three fine animals occupy a range of fourteen square miles, all owned by the Government. This, too, was his original proposition.

Goat Mountain Park in British Columbia is established. A splendid sanctuary of 450 square miles, stocked with mountain goats, sheep, elk, deer and bear, exists on the Elk and Bull Rivers, East Kootenay, as a game preserve. This was Dr. Hornaday's original suggestion.

A New York Bison Herd would today be in existence but for the veto of Gov. Charles E. Hughes.

A Fur-Seal Salvage Law, the Fur-Seal Treaty, and five-year close season law are on the statute books, all as he demanded in 1909.

The Snow Creek Game Preserve, Montana, is an accomplished fact. This was his original idea.

The "Bayne Law," in New York, prohibiting sale of all native wild game in that State, was passed as his original suggestion. Massachusetts has copied this same law, and California is trying to do so.

Among the subjects to which he has devoted recent conservation work are: prevention of marketing wild game; prevention of spring and late winter shooting; prohibition of the killing of insectivorous and song birds for food or millinery purposes; the increase of the number of bird and game preserves; the prohibition of the use of extra deadly automatic and pump guns in hunting, giving the wild creatures some chance for their lives; the securing of perpetual closed seasons for all such species of wild life as are threatened with total extinction. This is a goodly program.

The statement is made in his recent book, "Our Vanishing Wild Life," that of all the countless millions of wild pigeons that once clouded our skies and thronged our forests there is today only one living specimen, and that poor creature is in captivity in Milwaukee. Only one left to emphasize the extermination of this beautiful American bird!

Dr. Hornaday's book ought to be in all the public school libraries. The little boys and girls should be taught what has been lost to them, so that they may treasure the precious remains of the wealth of the past. They should "hear the call of the wild remnant."

This book is both timely and convincing. No one can read it without regret for our national recklessness and disregard of our blessings. It is a heart-breaking story.

It is hard to make people realize that the invention of deadly weapons imposes self-restraint upon the people who possess such almost limitless powers of destruction. The rifle in the hand of the professional killer of game, together with the offer of fifty cents for each skin, covered our western plains with the dead carcasses of buffalo by thousands.

Cars were arranged with many decks to hold the live pigeons and the busy nets swept them from the earth for the markets in a few years.

The hunter puts his dogs in the baggage car, takes a Pullman and in a night's run has gone five hundred miles into the hunting regions where, with the finest and deadliest of weapons, he works great havoc among the few remaining birds. Soon they disappear and the hunter buys his ticket for more distant grounds. Such limitless power to kill makes rigorous legal restraint absolutely necessary. The flying machine and speedy motorboat will further add to man's power to kill.

Few men can withhold when the opportunity comes to slay. Not only must the laws be rigorous, but they must be enforced without fear or favor.

Dr. Hornaday has been a mighty hunter himself and realizes the enjoyment the sportsman feels in this great pastime. Fortunately such men as George Shiras 3d have been teaching a new method of hunting with the camera. The camera captures but does not kill, and all the keen delight of the hunter is enjoyed when searching for the wild creatures in their natural resorts.

Mr. Shiras by flashlight photographed an albino porcupine one season and placed the picture in his album, instead of the stuffed skin of the dead animal upon his study walls or in a museum. The next year he captured the same albino again with his camera and again left the harmless creature to enjoy life in its native woods. "Any fool can kill a bird; but it takes a genius to photograph one and get a good photograph," says Dr. Hornaday.

I remember Dr. Hornaday when as a boy he came from the farm in Marion county to study at old Oskaloosa College. His subsequent career has gratified the friends of his Iowa boyhood, who prophesied a bright future. His present book is not merely the work of the few months spent in putting his thoughts upon paper; it is the record and fruits of a life work in studying God's wild creatures in their native haunts. It is a note of warning and alarm. The nation should heed it.

God in His slow processes spent millions of years creating the passenger pigeon and the bison. A single generation has seen them swept away. The high cultivation of a large part of our country makes it impossible for much of the old wild life to remain. But the birds can still be saved. They are rapid breeders and but give them a chance and they will remain with us.

Since this book came from the press the McLean Law protecting migratory birds has been enacted by Congress. Many states had forbidden spring shooting. Many states had vainly protected the robin and other of man's gentlest and best friends. These birds spent the spring and summer in our dooryards and nested in our shade trees only to go south there to be treated as "game birds" and to be slaughtered by the thousands. The pest of the boll weevil awakened the consciences of many of the cotton growing states, leading to local legislation for the protection of the birds which destroyed their enemies of the cotton fields.

A REPUBLIC WITHIN THE CONFEDERACY AND OTHER RECOLLECTIONS OF 1864.

BY W. A. DUCKWORTH.

In January, 1864, at Pulaski, Tennessee, I was appointed a Lieutenant in the 110th Colored Infantry. I had been serving as Corporal of Company G, 2d Iowa Veteran Infantry. After guarding a tunnel and trestle work on the railway near Pulaski, I was assigned, with six companies of the regiment, to garrison the town and district of Athens, Alabama. Col. Wallace Campbell of the 110th, was in command of the post and district.

My own company was detailed as provost guard, and was quartered in a building on the northwest corner of the public square in Athens. I was very pleasantly situated during the spring and summer, and my duties, while constant, were not arduous. I boarded with a family by the name of Tanner, consisting of Mr. and Mrs. Tanner and three grown daughters. One of the daughters was a widow, her husband having been killed about the time of the battle of Shiloh, in a cavalry skirmish near their home. We patrolled the town and I scouted a good deal with a detachment of East Tennessee Cavalry. Quite a number of prisoners were picked up by us on these expeditions, and we captured a quantity of medicine that was being smuggled through the lines from Nashville, for the use of the Confederate army in the field. I made one capture, near the Tennessee river, between Huntsville and Decatur, of a lady, with a fine horse and buggy. This lady had in her possession about three thousand dollars' worth of quinine and morphine.

We also made a survey of the country for military purposes, locating all roads, bridges, streams, and tactical points of defense which might be made available in the future operations of the army.

Civil affairs were administered through the provost marshal's office and as I acted in the capacity of provost marshal, it fell to me a good part of the time to preside over civil suits. I heard many complaints, and adjusted numerous differences. In connection with my duties, I issued marriage licenses, rented houses, collected license taxes from all persons in mercantile business of whatsoever sort, issued provisions to refugees and other indigent persons and had supervision over the county jail. This was well filled with prisoners of almost every variety and description, some of the desperate characters being kept in irons.

Some colored soldiers of Capt. Adam Poe's¹ company of the 111th regiment were employed in guarding a bridge on the outskirts of Athens, and were quartered in a block house. A party of these, while out marauding at night, murdered a farmer named Tanner and pillaged his house. Tanner's wife was bedfast at the time.

Naturally, there was much excitement in the town and county over this murder. Measures were at once taken to apprehend the criminals, and with the aid of a very efficient detective named Louis Kimmel, from St. Louis, we captured them, and had them safely in the jail at the time of our capture by General Forrest in September. Just what disposition General Forrest made of them I never knew for certain. There was a rumor when we were captured, that he had hung them summarily when the jail was taken by his forces.

There was a female seminary in Athens, under the supervision of a lady from Washington. We kept a guard stationed in the seminary grounds and often visited the institution. As a rule we timed our visits so as to be present at the morning exercises.

Under the military regulations, no person was allowed outside his or her domicile after dark without a pass or escort. There were no meetings of any kind at night, except an occa-

¹Capt. Adam Poe was a son of the Adam Poe who was at that time connected with the Methodist Book Concern, at Cincinnati, and a grandson of the Adam Poe who killed the big footed Indian, of which an account is given in the early history of Ohio and Kentucky.

sional dance which was under military supervision or surveillance.

The members of the Masonic Lodge met in the afternoon. I met with them often and was treated with great consideration. I also attended a few select parties, and at one of them, I remember, I came very near getting too much eggnog. It was made by a different formula from what I had been used to.

The most disagreeable duty which devolved upon me while at Athens, was caring for a lady prisoner who was being banished as a spy through the Confederate lines, under a flag of truce. Being a lady of respectable appearance, I did not send her to the common prison, but accepted her word of honor not to attempt to escape. I communicated by flag of truce with General Roddy of the Confederate forces across the river, concerning her reception, and in the meantime paid her board and lodging at the hotel for two days.

The only armed foes with whom we came in contact during the summer, were the forces of General Wheeler who fired on our picket lines while raiding through the country. This was about the first week in September, and the incident of course created a furor for a few days.

General Hood moved North during the latter part of September with the purpose of striking General Sherman's communications, preparatory to his campaign into Tennessee that resulted in the terrible battles of Franklin and Nashville and utterly destroyed his army. General Forrest, the forerunner of Hood, crossed the Tennessee river at Mussel Shoals below Decatur, and on the 23d of September struck Athens in force. The pickets were driven in about noon, and there was more or less skirmishing all the afternoon.

The fort built by order of General Dodge for the defense of Athens, was about three-fourths of a mile from the public square in a westerly direction, varying a little south. As my own company was quartered on the corner of the square and was the only one in town, we had quite a spirited time during the afternoon and until about nine o'clock at night. The

Confederates burned the railway depot which was situated in the public square, and the Quartermaster's stores on the south side, before we evacuated the town.

Between eight and nine o'clock a detachment of the enemy's cavalry coming up the street from the west, stampeded a team attached to a wagon being loaded by the men of my company in front of their quarter. A little later we captured a sergeant and four privates who as a guard for the night were trying to find General Buford's headquarters, which they informed us were at a certain house in the adjoining block. We sent them under guard to the fort as prisoners.

About nine o'clock in the evening we marched out of the town to the fort, and I was detailed with sixteen picked men from my company for picket duty, on the side of the fort next the town. The fort was held until about nine o'clock the next morning. During the night, the Confederate forces had closely invested the fort and were using their artillery and sharpshooters in a lively manner.

About nine o'clock in the morning a flag of truce was sent in by the Confederates, demanding the surrender of the fort and the Federal forces. The flag was borne by Major Strange, General Forrest's Adjutant General, was received by me on my picket post and was forwarded to Colonel Campbell's headquarters in the fort. Upon receiving it Colonel Campbell ordered us all into the fort. After he had ridden out through General Forrest's lines and satisfied himself as to the numbers of the Confederates, he returned and entered into a formal surrender. Some of our colored soldiers had to be forced to give up their arms. The flag was hauled down and trailed in the dust and we were prisoners of war.

During the negotiations for our surrender, the 18th Michigan and the 102d Ohio were surrounded and captured within two miles of Athens while coming to our relief from the post at Decatur. They made a determined resistance and we could plainly hear the firing, but were powerless to join them. They were brought in and added to the crowd of prisoners. There were about three hundred of them, while the prisoners taken

in the fort numbered six hundred. General Forrest's forces numbered about seven thousand.

Several officers, not of our forces, were taken prisoner in the fort. They were on their way to the front, and were delayed at Athens on account of the railway bridges being destroyed. Two of them I remember were Col. Eli Lily of the 7th Indiana Cavalry, and Captain Callahan, of the 1st Missouri Light Artillery.

We were treated fairly well and were allowed to retain our side arms and private property, including our money. After being *herded* on the commons outside of the fort for a few hours, we were started south, and crossed the Tennessee river near Florence, Alabama.

We were marched twenty-five miles per day by our captors, and fed on cold water and ears of corn. The only way we had of preparing the corn for eating was to char the outer ends of the grains while on the cob.

At Bear Creek, however, we were stopped and furnished corn meal, flour, bacon, and what we thought was the best beef we had ever tasted. We were very hungry. After crossing Bear Creek we were put aboard the cars, passing through Iuka and Corinth. There were three trains of eight common freight and stock cars each, with a wheezy old engine for each train. The prisoners were inside of the cars and the guards on top. After passing Tupelo one of the trains was wrecked by the breaking down of a culvert which resulted in the total destruction of a car and the killing and crippling of seven guards and three prisoners.

About a half mile west of Okolona, the trains were all stopped. We disembarked and were *herded* on the prairie and allowed to cook and eat our dinners. We were guarded from the time of our capture until our arrival at Meridian, Mississippi, by the 20th Tennessee Mounted Infantry. They were old soldiers from the firing line, which was a godsend to us. We fared on the trip the same as they did. At Meridian, Home Guards took charge of us, relieving the 20th Tennessee, and we found them very exacting and hard to please.

While dinner was being prepared at Okolona I was permitted by one of the captains of our guard, who was a Mason, to go up to the city, with a Lieutenant Milligan, whom I vouched for, to get our dinners. We went without an escort. Some of the citizens gazed at us quite hard but we were not molested. We got our dinners at a private house where we furnished the "sure enough coffee", a small supply of which we had left. The lady of the house shared this with us with the greatest of pleasure, it being the first real coffee she had tasted for three years. While the prisoners at camp were getting their dinners, a man of the 18th Michigan, being given permission to go outside of the guard line to attend the call of nature, kept edging away and edging away, after being repeatedly told to come back. He finally made a break across the field to a piece of jack oak woods. He was followed and perhaps fifty shots fired at him without effect. The jack oak timber was very dense in that country and the man was comparatively safe as soon as he reached its shelter. He succeeded in making his escape.

Boarding the train again after dinner, we proceeded to Meridian, Mississippi, where we were confined in a stockade prison pen for one day and night. Then we were taken south fifteen miles on the Mobile & Ohio railway to Enterprise. This was a town of ten or twelve hundred inhabitants, on the Pascagoula river. Here we were paroled and given the limits of the town, which was about a mile by a mile and a half in area.

The Pascagoula river at Enterprise was about one hundred feet wide and very deep. The town was situated on both sides of the river. The railway depot and business section was on the east side and the resident section on the west. We prisoners were quartered in the residence portion, occupying a number of vacant houses and boarding with the citizens. There were one hundred and nineteen of us at Enterprise, consisting of the commissioned officers captured at Athens and vicinity, the non-commissioned officers and privates having been sent to Cahaba, Alabama.

We succeeded in getting board at fifty cents per day each in Confederate money. Confederate money at that time was worth from a seventh to a fourteenth of its nominal value in United States "greenbacks". That is to say, one dollar in greenbacks was worth from seven to fourteen dollars in Confederate paper money.

The Confederates furnished us with beef, bacon and flour. The balance of our provisions, chiefly sweet potatoes, we purchased in the town market. These we not only ate but also charred them in the vessel on the fire and used them as a substitute for coffee. We had plenty of money and our good clothes, and never fared better at any time during the war, which is a different story from that told by most prisoners of war.

On Sundays we attended church. One Methodist preacher, in his leading prayer, besought the Lord to rain fire and brimstone on the heads of the Yankees who were invading the Southern states. His prayer did not disturb us greatly, as we had our doubts about the Lord's willingness to perform the service asked of Him, but we did have some trouble with a fiery Irish lieutenant who resented that kind of petition to the throne of grace. We calmed the lieutenant down, however, and would not allow him to attend church any more where that preacher was in charge of the services.

We were at Enterprise on the day of the presidential election in November, 1864, but could not vote, though nearly every man was in favor of Lincoln's election.

We had a very pleasant time during our stay at Enterprise, with no particular disturbance. A few of our men did participate a little too generously in a lot of whisky of a very poor quality which they succeeded in finding; but this fortunately resulted in no detriment to the other prisoners. We visited with the citizens, but paid our visits at night. They were fearful of being denounced to the military authorities if they showed too much friendship with us.

The people of Jones county, Mississippi, which corners with Clark, the county in which Enterprise is situated, had seceded

from the Southern Confederacy and organized a government of their own, which they designated the "Republic of Jones". This small republic had a president, secretary of war, and other officials and an army which was well organized and equipped. Their leader and military commander was General Newton Knight. They had given the Confederate Government considerable trouble the year previous, and a small division of the Confederate army had been sent, under the command of General Maury, to suppress them but with only partial success. This infant republic was at war with the United States, as well as with the Confederate States, and when they learned that a lot of Federal prisoners were confined at Enterprise they organized an expedition to murder us.

Tidings of this projected action reached Enterprise and caused quite a commotion, not only in our quarters but in the town as well. We were unarmed, with the exception of a few small revolvers, and there were only fourteen Confederate soldiers in the town. It was garrisoned as a military post, under command of a major and one lieutenant, with fourteen non-commissioned officers and privates, all belonging to their invalid corps. The whole country, it is to be understood, was under military rule. So, prisoners and garrison, acting in conjunction, organized night guards, consisting of two Yankee officers and one Confederate soldier on each guard post stationed on the roads leading west and south, on the west side of the river. We also kept a detachment at the river bridge, with orders to remove the planking as soon as all the people were over, in case the town was attacked. Prisoners were located along the principal streets that led south and west, with clubs in their hands, and their orders were, to strike the plank fences and then send the signal along the streets to the Methodist Church, where a man was stationed to ring the bell the instant the signal was given.

The ringing of the bell was to be the rallying tocsin for all the people on the opposite side of the river to hasten across the bridge and proceed to the depot, where the Confederate major had two railway trains in readiness. These trains were

kept fired up day and night for several days. But for some reason the forces from the Jones County Republic failed to appear—and we were permitted to continue at Enterprise in peace.

The last week in November, we were sent through the lines to Memphis, Tennessee, by the way of Meridian, Jackson, Canton, Grenada and Hernando under the escort of a Methodist preacher who was a captain in the Confederate army and connected with the Exchange Bureau. He was very kind to us and took charge of a lot of Confederate money which we had procured, at twenty-one dollars for one of our money, from post funds which we had saved when captured. The captain delivered this money to our enlisted men who were confined at Cahaba, Alabama, along with some articles of wearing apparel which we sent them, thus proving himself a man of honor and good faith.

We were not guarded on the trip from Enterprise to our line near Memphis; we made it a point to keep with our escort. We were delayed at a number of places on account of the miserable condition of the railway lines, particularly at Canton and other towns between Jackson and Hernando. At Canton we were delayed one night and a part of a day, but had a nice dance in a vacant hotel building, participated in by natives as well as by a goodly number of our party. We secured meals at the homes of a number of the citizens who treated us kindly but had little to say.

From Grenada to Hernando there were no engines to haul the trains, which were flat cars drawn by horses, the bridges being planked for that purpose. At some of the broken bridges we walked across or were taken over in boats, changing to other cars. We met a detachment of our cavalry under a flag of truce, after passing the Confederate lines between Hernando and Memphis. The detachment was composed in part of Company G, 3d Iowa Cavalry, many members of whom are now living in Van Buren county, Iowa.

We were delivered up to the United States Army, and were once more under the protecting care of the Old Flag.

After about forty days at the Parole Camp in St. Louis and at home, we were declared exchanged by the Secretary of War, E. M. Stanton, and ordered to report to General Sherman at Savannah, Georgia. Going by way of New York we took passage to Savannah on the steamer Fulton, a large side-wheeler and reported to General Sherman just in time to go on the campaign through the Carolinas to Goldsboro, North Carolina.

DAVENPORT,

Saturday, November 9, 1839.

November 6, a pleasant day—snow disappeared from the ground before noon.—7, a hard frost last night—the first we have had during the fall. A warm and pleasant day, after sunset the west was decked in its richest hues, the few clouds that hung about the horizon were fringed with the richest gold, and the whole heavens appeared to be lit up by rays of light reflected from the unruffled bosom of the great western ocean. No pen can describe, no pencil paint the beauties of a western sunset on such an evening. 8, a beautiful morning, the air rather cold, fine day, more like April than November, not a cloud to be seen, or a breath of wind to ruffle the bosom of the majestic Mississippi. The Steamer Trubedore arrived from DuBuque yesterday, and left this day for St. Louis.—Editorial. Davenport, *Iowa Sun*, Nov. 13, 1839.

"The Western Adventurer and Advocate of Free Discussion" has just been established in the Far West—published simultaneously at Commerce, Illinois, and Montrose, Wisconsin, on a large and fair sheet, at \$2 per annum. We are surprised that so large and fair a paper can be afforded at that price so far West. It seems to be devoted in good part to the discussion of Slavery.—Th. Gregg, Editor. Albany, N. Y.—*The Jeffersonian*, March 3, 1838.

THE WRITINGS OF JUDGE GEORGE G. WRIGHT.

[During his later years the Honorable George G. Wright wrote much that was never published on Iowa biographical and historical subjects. He was singularly apt in the interpretation and delineation of character. His memoranda are therefore valuable contributions. A muscular difficulty combined with a rapidity of mental operation produced a handwriting as noted in its way as that of Horace Greeley. William W. Baldwin, of Burlington, his nephew, a close associate, and Mr. Simon Casady, of Des Moines, likewise long associated with him, have assisted in the reading and have verified the most difficult passages.—EDITOR.]

GENERAL BAKER.

Among the most eccentric and yet in his line ablest and most efficient officials ever in Iowa was Gen. Nathaniel B. Baker.

With good education—a graduate of the best New England university—having read in the office of Franklin Pierce, a lawyer—member of the New Hampshire legislature—Speaker thereof for two terms—his only service,—Governor of the state in 1854—editor of the *Patriot*, leading paper of his party (Democratic)—coming to Iowa in 1856—settled in Clinton Co.—elected to the Iowa House in 1860—and was in what is known as the War Session, 1861—in July, 1861, was made Adjutant General and reappointed in 1864,—it will thus be seen that his official relations with the two states were almost continuous and in all respects leading. A Democrat in New Hampshire and when coming to Iowa—at the very moment of the War of the Rebellion, outspoken and most active for the cause of the Union,—standing with the gallant Major Kellogg and others of his party for the most aggressive warfare and liberal appropriation for the flag and suppression of the Rebellion, ever strong as a Republican, he was at once recognized as a man of great value and strength—one whose services were not to be either overlooked nor under-estimated.

[illegible]

Facsimile page of manuscript of Hon. George G. Wright, reading:
 " * * * creeping cat like quiet that stamps all sinister, two-sided
 men," etc. See page 353.

General Baker was *sui generis*. Not by any means a teetotaler—taking more interest in a policy or growing party than the work of Speaker of the New Hampshire legislature or the duties of Governor—text books, whether in Latin or mathematics, engrossed his attention much less than a good cigar or a free enjoying time with his classmates,—not a plodder—never a bookworm, he yet had a mind so active that he grasped readily leading principles and clove to his lessons and conclusions with a constancy which gave him a good standing in his classes and high position in any place to which he was elected.

I have said he was eccentric. By this I mean that he preferred rest to work—a good time to close attention to his official duties—talked about everything in a rambling, apparently incoherent way—was on the street more than in his office—never seemed to know what was going on or to influence his subordinates—and yet whether as Speaker, legislator, Governor or Adjutant General was among the most efficient, painstaking and correct officials ever in Iowa or elsewhere. His records in all the multifarious work of the war and following, are models of neatness, completeness and correctness. It may be doubted whether in another like office in any state a record can be found in all respects so satisfactory and readily comprehended and understood. He was prompt, energetic and systematic, and to such an extent as to elicit the most flattering compliments from the press and others in almost every state in the Union. Of few other things are the people of this State more justly proud.

General Baker was a man of commanding presence—always plain-spoken and earnest—but little if any of the courtier—none of “that creeping, cat-like quiet that stamps all sinister, two-sided men.”

His nature was phenomenally generous and the warmest in its attachments and friendships. The needy or those in poverty he never passed without a kindly word or help. Such a man never made money—never accumulated—he spent as he earned, either for actual needs or to gratify his tastes or charitable disposition.

Was he studious? I answer, no, if by that is meant application to tasks or the many details of business. How then did he so well succeed and so well acquit himself in public life and especially in the office of all others—the last he held—requiring watchfulness and constant attention to men, companies, regiments and statistics? I answer, by reason of his natural ability to grasp things as if by inspiration—to marshal his forces—his many clerks—to select the best men—and so condense and arrange as to give evidence of the extremest personal care and attention. Then he was so large-hearted and genial that he commanded the best service and inspired unlimited confidence in his work. Had his habits been better—such as to rally around him a different and higher moral element,—such was his nobility of nature, quick, active intellect and generosity of spirit—he might have ranked in state and nation among the most able and influential. But he was Nat. Baker and could not be another.

JONATHAN W. CATTELL.

I wish to leave a word of testimony to the high official character and great personal worth of Jonathan W. Cattell.

Was a member of the Senate from Cedar county for two terms (1856-58)—State Auditor three terms (1859-65)—again a member of the Senate from Polk, 1866—and at the time of the trouble with Auditor Brown (1885-86) was appointed to the office by the Governor (Sherman) and acted for several months and until the impeachment proceedings were ended. He was also prominently connected with important insurance companies and recognized by all as among the best and most faithful business men of the State. He died within the last three years on his farm near Des Moines, where he had lived for years in the quiet enjoyment of a happy home.

Was of the best Quaker stock—tall—not especially courtly—having rather the plain manners and habits of the Friend—of the best and most exemplary habits—fairly strong, intellectual face—a good thinker—honest to the State and its every interest—one of the best legislators and officials—true as steel to every trust—he loved Iowa, and Iowa trusted and

relied upon him as upon few others. Was not an orator if noise, big words and rotund sentences so count, and yet was so thoroughly posted in all the affairs of state—a kind of walking encyclopædia of all its departments, that he was always listened to with interest and like profit. Was apparently as artless as a child, and yet not of the enduring, easily-imposed upon class. Of generous, trustful nature, he was admittedly a good judge of men—weighed well, dispassionately and unselfishly all sides of a problem and the claims of all—reaching his conclusions according to what he believed to be the very right of the matter. Was intense in his anti-slavery views, a most ardent partisan—believed in his very heart that his party was right and those opposed wrong, and forever so. Left no family except his widow, who was of like Quaker stock, and was in all respects a most worthy and efficient helpmate.

STEWART GOODRELL.

Stewart Goodrell, who lived first in Brighton in Washington county and afterward in Des Moines, where he died some two years or more since, was of good size—florid complexion,—a mechanic,—of moderate education only, and yet in many ways well informed himself on the affairs of the State.

We first find him a member of the Second Constitutional Convention (1846), then of the first and second State General Assemblies, then again of the 8th, 1860, from Polk, one of the commissioners to locate the capitol (1856) and pension agent at Des Moines at the time of his death. Was twice married, the second wife being the sister of Alex Scott, who was one of the earliest settlers of Des Moines and the owner of a large part of the ground covered by the (east) part of the original city.

Not much of a talker, but of the most royal good sense—pleasant and popular manners, he always had good influence and took the front rank as a legislator. It will be seen that his last legislative service was in the well-known War session (1860-61), composed of an exceptionally strong body of men—Judges Hall, Caldwell, Clagett, Riddle, Ruddick—as also

General Baker, Major Kellogg, Geo. W. Bemis, [Lieut.] Gov. Gue, W. H. F. Gurley, Rush Clark, A. H. Bereman, N. G. Hedges, and other well-known legislators being his colleagues. That he held a good position his places on committees as well as the proceedings of those two unusually active sessions (there was an extra session in May, 1861) abundantly attest. He would always have friends and have their help and active assistance if the occasion demanded. A most enthusiastic Republican, he was still so cordial in his relations with all his fellows that, outside of politics, he seldom provoked antagonism.

Was honest—died poor—left a most excellent family,—loved a good joke as well on himself as on others. Among those he enjoyed most was this:

After his services in the House and the distinction of the Constitutional Convention, he was ambitious for the Senate,—very much so. When the committee met he seemed to have things all his own way. He concluded to play the martyr role, and when his name was suggested, took the floor and told the delegates at what great sacrifice he had served the people before,—how he was neglecting his business—was poor,—and proceeded to name several worthy gentlemen of whom they ought to demand the sacrifice. More than one good friend appealed to him—that he had so well cared for their interests, and that this was the time when they needed good and strong men, &c. To these he replied, begging off, and finally with apparent great reluctance said if he must, he must, &c. In the meantime, another name of those referred to by him, had been mentioned—they balloted, and to use his own language “the damned fools took him at his word and nominated the other fellow.” He always wound up by saying that he wanted the place very much indeed, and concluded that he would never again so act the idiot. Always try to tell the truth and ask for what you want—if you do want it—in politics as in everything else. Not that a man should be a place or office seeker, but if he determine to seek tell the truth when the time comes and the occasion demands. Other aspirants as I

know have failed just as the Colonel did, and greatly to their disappointment.

Of the non professional men—those of limited education and few opportunities—without the aid of money or strong family influence, Colonel Goodrell will be long remembered as among the strong, active and worthy.—He was a good type of a pioneer legislator and sound sense in official and business life.

Possibly “to point a moral” if not “adorn a tale”, I note this instance:

As stated, Colonel Goodrell was pension agent at Des Moines at the time of his death. His death occurring late in the night was not announced in the morning papers. I was in the Senate and not unreasonably would have a voice in nominating his successor. Ignorant myself of his decease, soon after breakfast a friend whom I esteemed highly called at my library and said he wanted the agency. I said, “Why, there is no vacancy.” “Yes,” he said, “Colonel Goodrell died last night,” and about four or five hours before he called. I said, “I like you and would be glad to recommend you, but I will not help one who is so anxious that he cannot wait until our mutual friend is buried. You indicate a too active desire for office.” And I did not recommend him and he was not appointed.

IOWA.—It appears from a paragraph in the Cincinnati Gazette, that “civil government is at an end,” for a time in the territory of Iowa. That paper says:—Strife has arisen between Gov. Lucas and the Iowa Territorial legislature on a question of power. The Governor insists that all laws and resolutions must be approved by him before they are of any force. The Legislative body contest this position. Both parties spunk up—and all public business is delayed in consequence.—Albany, N. Y.—*The Jeffersonian*, January 19, 1839.

EARLY IOWA INDIAN TREATIES AND BOUNDARIES.¹

BY COL. ALONZO ABERNETHY.

(Concluded.)

FIELD NOTES

Field Notes of the Sioux Cession of the Neutral Ground.

Commencing at the corner Established on the East bank of the Desmoin as Described on the preceding page and Run up the River Desmoin on the Eastern Side as follows—

N. 70 W. at 300 links came to the fork at low water mark 295 links wide—bears N. 15 E. 37.00 Chs; N. 53 W. 43.00 Chs (1 mile); N. 53 W. 20.00 Chs; N. 15 E. 29.00 Chs; N. 12 W. 31.00 Chs (2 mile); N. 12 W. 22.00 Chs; N. 16 E. 12.00 Chs; N. 5 E. 29.00 Chs; N. 29 E. 10.00 Chs; N. 14 W. 7.00 Chs (3 mile); Rained a part of this Day This the 20th day of May— 1832; N. 14 W. 4.00 Chs; N. 12 W. 76.00 Chs (4 mile); N. 12 W. 9.00 Chs; N. 40 W. 71.00 Chs (5 mile); N. 40 W. 80.00 Chs (6 mile); N. 40 W. 80.00 Chs (7 mile); N. 68 W. 80.00 Chs (8 mile); N. 68 W. 80.00 Chs (9 mile); N. 68 W. 80.00 Chs (10 mile).

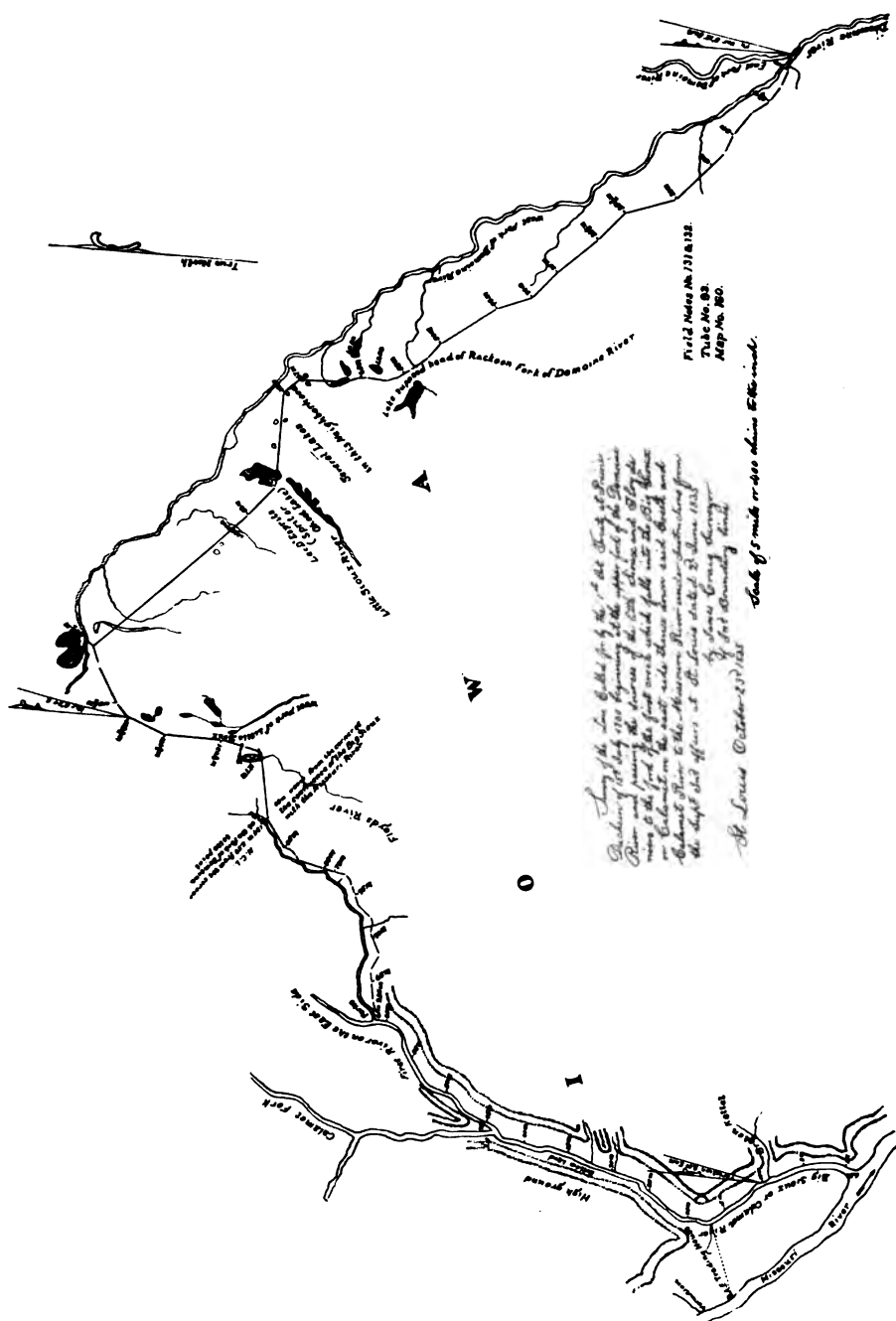
N. 68 W. 80.00 Chs (11 mile); N. 68 W. 80.00 Chs (12 mile); N. 68 W. 80.00 Chs (13 mile); N. 68 W. 80.00 Chs (14 mile); N. 68 W. 80.00 Chs (15 mile); N. 68 W. 80.00 Chs (16 mile); N. 40 W. 80.00 Chs (17 mile); N. 40 W. 70.00 Chs; N. 3 W. 10.00 Chs (18 mile); N. 3 W. 80.00 Chs (19 mile); N. 3 W. 80.00 Chs (20 mile).

¹Correction.—The two articles of a treaty of October 21, 1837, quoted in the ANNALS, p. 253, January, 1914, from Kappler's *Indian Affairs, Laws and Treaties*, v. II, p. 497, should have been attributed to the same authority, p. 495, the text being as follows:

The Sacs and Foxes make to the United States the following cessions, viz.:

First. Of a tract of country containing 1,250,000 acres lying West and adjoining the tract conveyed by them to the United States in the treaty of September 21, 1832. It is understood that the points of termination for the present cession shall be the northern and southern points of said tract as fixed by the survey made under the authority of the United States, and that a line shall be drawn between them, so as to intersect a line extended westwardly from the angle of said tract nearly opposite to Rock Island as laid down in the above survey, so far as may be necessary to include the number of acres hereby ceded, which last-mentioned line, it is estimated, will be about twenty-five miles.

Second. Of all right or interest in the land ceded by said confederated tribes on the 15th of July, 1830, which might be claimed by them, under the phraseology of the first Article of said treaty.



"Survey of the line called for by the 1st Art. Treaty at Prairie Duchien of 15th July, 1830, beginning at the upper fork of the Des Moines River and passing the sources of the little Sioux and Floyds rivers to the fork of the first creek which falls into the Big Sioux or Calamet on the east side thence down said creek and Calamet River to the Missouri River under instructions from the Sup't Ind. Affairs at St. Louis, dated 2d June, 1835. By James Craig, Surveyor of Indian Boundary lines, St. Louis, October 23d, 1835."

N. 3 W. 63.00 Chs; N. 16 E. 12.00 Chs; N. 10 W. 5.00 Chs (21 mls); Frosty, May 21st 1832 N. 10 W. 3.00 Chs; N. 45 E. 36.00 Chs; N. 4 S.W. 41.00 Chs (22 mls); N. 4 W. 27. Chs; North 23.00 Chs; N. 43 W. 13.00 Chs; N. 32 W. 17.00 Chs (23 mls); N. 68 W. 32.50 lks to a creek 25 lks wide Runs South 80.00 Chs (24 mls); N. 68 W. 80.00 Chs (25 mls); N. 68 W. 40.00 Chs; N. 73¼ W. 26.00 Chs to the East Bank of the River Desmoin; where Established the South West corner of the Sioux Session to the U. States by Planting a Stake and Raising a Mound. With a Cillinder of Charcoal underneath it as Required, from which a Red Elm 16 in in diameter bears S. 26° E. 5-10 links Marked thus U S—and a Red Elm 18 inches in diameter bears N. 84 W. 16.37 lks Distant Marked thus SIOUX at this Place the River Runs S. 25 E. for a Short Distance and in ascending the River it bears S. 84 W. and is 150 links wide Deep and Sluggish May 22nd 1832 From thence as follows N. 73.15 E. 80.00 Chs 1 mile Raised a mound and Depoited Charcoal as Required Land level Prairy Soil Good fit for cultivation—

Continued N. 73.15 E. at 70.00 Chs a Branch 25 links wide Runs South 80.00 Chs Or 2 mile Raised a mound and Deposited a Cilinder of Charcoal as Required Land level Soil Good fit for cultivation

Continued N. 73.15 E. 80.00 Chs—3 mile Raised a mound and Deposited a cilinder of Charcoal as Required Land Roling Prairy Soil good fit for cultivation

Continued N. 73.15 E. 80.00 Chs—4 mile Raised a mound and Deposited a cilinder of charcoal as Required Land flat Prairy Soil good fit for cultivation

Continued N. 73.15 E. 80.00 Chs—5 mile. Raised a mound and Deposited Charcoal as Required Land Gently Roling; Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs—6 mile Raised a mound and Deposited a cilinder of Charcoal as Required Land flat wet Prairy Pond mostly fit for cultivation

Continued N 73.15 E. 42.50 lks a Branch 50 links wide S.E. 80.00 Chs—7 mile Raised a mound and Deposited a cilinder of Charcoal as Required Land Gently Roling Soil good fit for cultivation

Continued N. 73.15° E. 80.00 Chs—6 mile Raised a mound and Deposited cinders of Charcoal as Required Land Gently Roling Soil good fit for cultivation

Continued N. 73.15 E. 80.00 Chs—9 mile Raised a mound and Deposited a Stone as Required Land level Prairy Soil first Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs—10 Mile Raised a mound and Deposited a cinders of Charcoal as Required Land Gently Roling Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 11 mile. Raised a mound and Deposited a cinder of Charcoal as Required. Land level and Rich but mostly wet

Continued N. 73.15 E. 80.00 Chs—12 mile Raised a mound and Deposited a cinder of Charcoal as Required The greater part of this mile is covered with water; Ponds not fit for cultivation

Continued N. 73.15 E. 80.00 Chs—13 mile— Raised a mound and Deposited a cinder of Charcoal as Required—Land level and Rich fit for cultivation.

May 23rd 1832

Continued N. 73.15 E. 13.10 lks to a white Oak 12 inches in diameter bear S Struck the timber 19.50 lks to the West Bank of the Second or uper fork of the River Desmoin 1.20 lks wide Runs S.E. Sluggish current at 36.00 Chs Struck the Bluff and left the timber 80.00 Chs—14 mile Raised a mound and Deposited a cilinder of Charcoal as Required Land Rolling and Rich fit for cultivation

Continued N. 73.15 E. 80.00 Chs—15 mile— Raised a mound and Deposited a cilinder of Charcoal as Required Land level 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 16 mile— Raised a mound and Deposited a cilinder of Charcoal as Required Land level 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs—17 mile— Raised a mound and Deposited a cilender of Charcoal Land level and good fit for cultivation

Continued N. 73.15 E. 80.00 Chs 18 mile Raised a mound and Deposited a cilender of Charcoal as Required This mile intersperced with Ponds not fit for cultivation

Continued N. 73.15 E. 80.00 Chs—19 mile Raised a mound and Deposited a cilender of Charcoal as Required Land level and wet not fit for cultivation

Continued N. 73.15 E. 80.00 Chs—20 mile, Raised a mound and Deposited a cilender of Charcoal as Required Land level 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs—21 mile— Raised a mound and Deposited a cinder of Charcoal as Required Land level 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs—22 mile,— Raised a mound and Deposited a cilender of Charcoal as Required Land level Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs—23 mile— Raised a mound and Deposited a cilender of Charcoal as Required Land level and Rich fit for cultivation

Continued N. 73.15 E. 80.00 Chs—24 mile. Raised a mound and Deposited a cinder of Charcoal as Required Land level and Rich fit for cultivation

Continued N. 73.15 E. 80.00 Chs—25 mile. Raised a mound and Deposited a cinder of Charcoal as Required Land level 2nd Rate fit for cultivation.

Continued N. 73.15 E. 80.00 Chs 26 mile Raised a mound and Deposited a cinder of Charcoal as Required Land level 2d Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs—27 mile. Raised a mound and Deposited a cinder of Charcoal as Required— Land level 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs—28 mile— Raised a mound and Deposited a cinder of Charcoal as Required Land level Soil good fit for cultivation

May 24th 1832

Continued N. 73.15 E. 80.00 Chs—29 mile. Raised a mound and Deposited a cinder of Charcoal as Required Land level Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs—30 mile— here being necessarily compelled I have Raised a mound without Coal or Stone Land level 2nd Rate fit for cultivation

Continued N. 73.15 E. at 76.50 lks Struck a pond 7.50 lks wide at the 80.00 Chs or 31 mile Raised no mound but it being inaccessible at 84.00 Chs Raised a mound with no Coal nor Stone in Land level 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs—32 mile Raised a mound with no cinders under Land gently Rolling fit for cultivation

Continued N. 73.15 E. 80.00 Chs—33 mile— Raised a mound without Coal or Stone Land Gently Rolling 1st Rate fit for cultivation

Continued 73.15 E. 80.00 Chs—34 mile— Raised a mound without cinder of Coal or Stone Land gently Rolling Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs—35 mile— Raised a mound with no cinders in Land level 1st Rate fit for cultivation

Continued N 73.15 E. 80.00 Chs—36 mile. Raised a mound without cinders or Stone Land gently Rolling Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs—37 mile Raised a mound with no cinder nor Stone Land level 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs—38 mile— Raised a mound without a cinder or a Stone Land gently Rolling Soil good fit for cultivation

May 25th 1832

On the day above mentioned left off work about 4 O'clock P. M. and Encamped about 4 mile off the line, it being the most convenient timber;—for the Purpose of Burning Coal

25th May 1832

On the Morning of 26th Sent Back on the line and Deposited in the mounds as Required by the Instructions at 10 O'clock proceeded on with the line

Continued N. 73.15 E. at 5.00 Chs Struck a pond at 40.00 Chs left the pond and Struck the hig land 80.00 Chs 39-38 mile Raised a mound and Deposited a cilender of Charcoal as Required The last 40.00 Chs of this mile gently Roling Prairie Soil good fit for cultivation

Continued N. 73.15 E. 80.00 Chs—40-39 mile. Raised a mound and Deposited a cilender of Charcoal as Required— Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs—41-40 mile; Raised a mound and Deposited a cilender of Charcoal as Required Land Roling 1st Rate Soil fit for cultivation

Continued N. 73.15 E. 20.00 Chs to a marsh Or pond 80.00 Chs 42-41 mile 42-41 M at 95.00 Chs left the marsh or pond where Raised a mound and Deposited a cilender of Charcoal as Required— this Being Raised here is in consequence of water being Entirely over this marsh

Continued N. 73.15 E. 80.00 Chs—43-42 mile. Raised a mound and Deposited Charcoal as Required Land level Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 44-43 mile Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 45-44 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 46-45 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land level Soil 2nd Rate fit for cultivation here found 2 canoes

Continued N. 73.15 E. 80.00 Chs 47-46. mile. Raised a mound and Deposited a cilender of Charcoal as Required Land level 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 48-47 mile Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling and Intersperced with ponds Dry land good and fit for cultivation

²From this point forward the notes indicate miles thus: 39-38 40-39, etc., because of a miscount later described.

EARLY IOWA INDIAN TREATIES AND BOUNDARIES 363

Continued N. 73.15 E. 80.00 Chs 49-48 mile— Raised a mound and Deposited a cilender of Charcoal as Required Land Roling Soil good fit for cultivation

Continued N. 73.15 E. 80.00 Chs 50-49 mile Raised a mound and Deposited a cilender of Charcoal as Required— Land gently Soil 1st Rate. fit for cultivation

May 26th 1832

Continued N. 73.15 E. 80.00 Chs 51-50 mile. Raised a mound and Deposited a cilender of Charcoal as Required this mound Stands Immediately in the Edge of the head of a lake which bears an Eastwardly Direction Land Roling and Intersperced with Ponds—

Continued N. 73.15 E. 46.00 Chs across the above mentioned lake to the hill 80.00 Chs 52-51 mile— Raised a mound and Deposited a cilender of Charcoal as Required Land Roling

Continued N. 73-15 E. 80.00 Chs 53-52 mile Raised a mound and Deposited a cinder of Charcoal as Required this mile Running parrallel with this lake at this Point the lake is Probably a half a mile in width and some timber on the South Side Land Roling Soil 1st Rate fit for cultivation— At this Point the line Bears off from the Lake and appears to be below this on the North Side of a large grove of timber

Continued N. 73.15 E. 80.00 Chs 54-53 mile Raised a mound and Deposited a cilender of Charcoal as Required— Land gently Rolling Soil first Rate fit for Cultivation

Continued N. 73.15 E. 80.00 Chs 55-54 mile Raised a mound and Deposited a cilender of Charcoal as Required the line Bordering in on the lake the whole length of this mile Land gently Rolling Soil good fit for cultivation

Continued N. 73.15 E. 80.00 Chs 56-55 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land Roling Soil good fit for cultivation

Continued N. 73.15 E. 20.00 Chs Struck the timber 62.50 lks to a white Oak 15 inches in Diameter 80.00 Chs 57-56 mile where set a Stake from which a white Oak 15 inches in Diameter bears S. 2. E. 37 lks marked thus U. S. 56. M— and a white Oak 18 inches in diameter bears S. 23 W. 61 lks distant Marked thus U. S. 56. M. and a white Oak 24 inches in Diameter bears N. 41 E. 49 lks Distant Marked thus SIOUX 56 M. and a white Oak 20 inches in Diameter bears N. 19 W. 145 lks distant Marked thus SIOUX 56 M.

May 27th 1832

Continued N. 73.15 E. 32.00 a white Oak 15 inches in Diameter 75.00 Chs left the timber 80.00 Chs 58-57 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land Roling and Rich Timber white and Black Oak Undergrowth hazle and quakenasp

Continued N. 73.15 E. 49.75 lks to a small creek 25 lks wide bears South 80.00 Chs 59-58 mile Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil Good fit for cultivation

Continued N. 73.15 E. 80.00 Chs 60-59 mile— Raised a mound and Deposited a cilender of Charcoal as Required Land level first Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 61-60 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land level first Rate fit for cultivation

Continued N 73.15 E. 80.00 Chs 62-61 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 1st Rate fit for cultivation—

Continued N. 73.15 E. 80.00 Chs 63-62 mile Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 64-63 mile— Raised a mound and Deposited a cilender of Charcoal as Required Land level Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 65-64 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil first Rate fit for cultivation Carried over to Book 2nd

Nathan Boone
Surveyor

On May 26th 1832—at 41 Mile line is where the Sock & Sioux had a fight last year & Several Killed. This Sock In camp situate on a high perrai hill about 25 Ch to the South this Mound and near the East Side of a Lake a pond this pond is a small grove of timber about $\frac{1}{4}$ of a Mile West of the Sock camps—

The Sioux were encamped in a grove of timber & on the North Side of a Lake situate about four Mile Dis N.W. from the Soc camp— This information was given Me by a Soc indian who is with us

I certify that the foregoing notes on page one to Seventy Seven, inclusive are the original field notes of the Survey of the Indian boundary line; as executed under the 2nd article of a treaty made with the SOCS—FOXES & Sioux Indians on the 19th August 1825 & 15th July 1830; and that the lines courses and distances, were all taken with my compass set at a variation of nine degrees East

Indian Office August 7th 1832

Nathan Boone
Deputy Surveyor

Continued the line of Survey between the Sioux and the U., States

Continued N. 73.15 E. 80.00 Chs 66-65 mile. Raised a mound and Deposited a Cilender of Charcoal as Required Land gently Rolling with hazle Brush growing Over it Soil first Rate fit for cultivation

Continued N. 73.15 E. 19.50 lks to a Small Creek 25 lks wide bears S.E.— 80.00 Chs 67-66 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling with some scattering Bunches of hazle Brush Over it,— Soil first Rate; fit for cultivation

Continued N. 73.15 E. at 5.00 Chs Struck the timber 60.00 Chs to a Bur Oak 12 inches in Diameter 72.00 to the West fork of English River 75 links wide Runs S.E. This Creek is Shoally and Rocky Bottom The banks also Rocky 80.00 Chs 68-67 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil 1st Rate Timber low and scrubby Oak lynn and quakenasp— Undergrowth hazle Oak quakenasp and prickly ash

May 28th 1832

Continued N. 73.15 E. 80.00 Chs 69-68 mile. Raised a mound and Deposited a cilender of Charcoal as Required. Land gently Rolling 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 70-69 mile Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil first Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 71-70 mile. Raised a mound and Deposited a cilinder of Charcoal as Required— Land gently Rolling Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 72-71 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil first Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 73-72 mile. Raised a mound and Deposited a cilinder of Charcoal as Required Land gently Rolling Soil first Rate. fit for cultivation

Continued N. 73.15 E. 4.00 Chs to the west Bank of the East fork of the English River 175 lks wide Runs S.E. This River is Shoally and appears to be lined with a perpendicular Rock alternately Either on the Right or left Bank of from 10 to 20 feet in hights about 20 chain below the line is a perpendicular fall of about four feet On the East Bank Struck the timber 9.30 lks to a Red Oak 14 inches in Diameter at 25.00 Chs left the timber 80.00 Chs 74-73 mile Raised a mound and Deposited a cilender of Charcoal as Required Land Rolling 2nd Rate timber white and Black Oak low and Scrubby— Land fit for cultivation Undergrowth Oak hazle and Shoe make—

Continued N. 73.15 E. 80.00 Chs 75-74 mile Raised a mound and Deposited a cilender of Charcoal as Required Land gently rolling Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 76-75 mile Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil 1st Rate fit for cultivation

May 29th 1832

Continued N. 73.15 E. 80.00 Chs 77-76 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 78-77 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 79-78 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 80-79 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling. Soil 1st Rate fit for cultivation

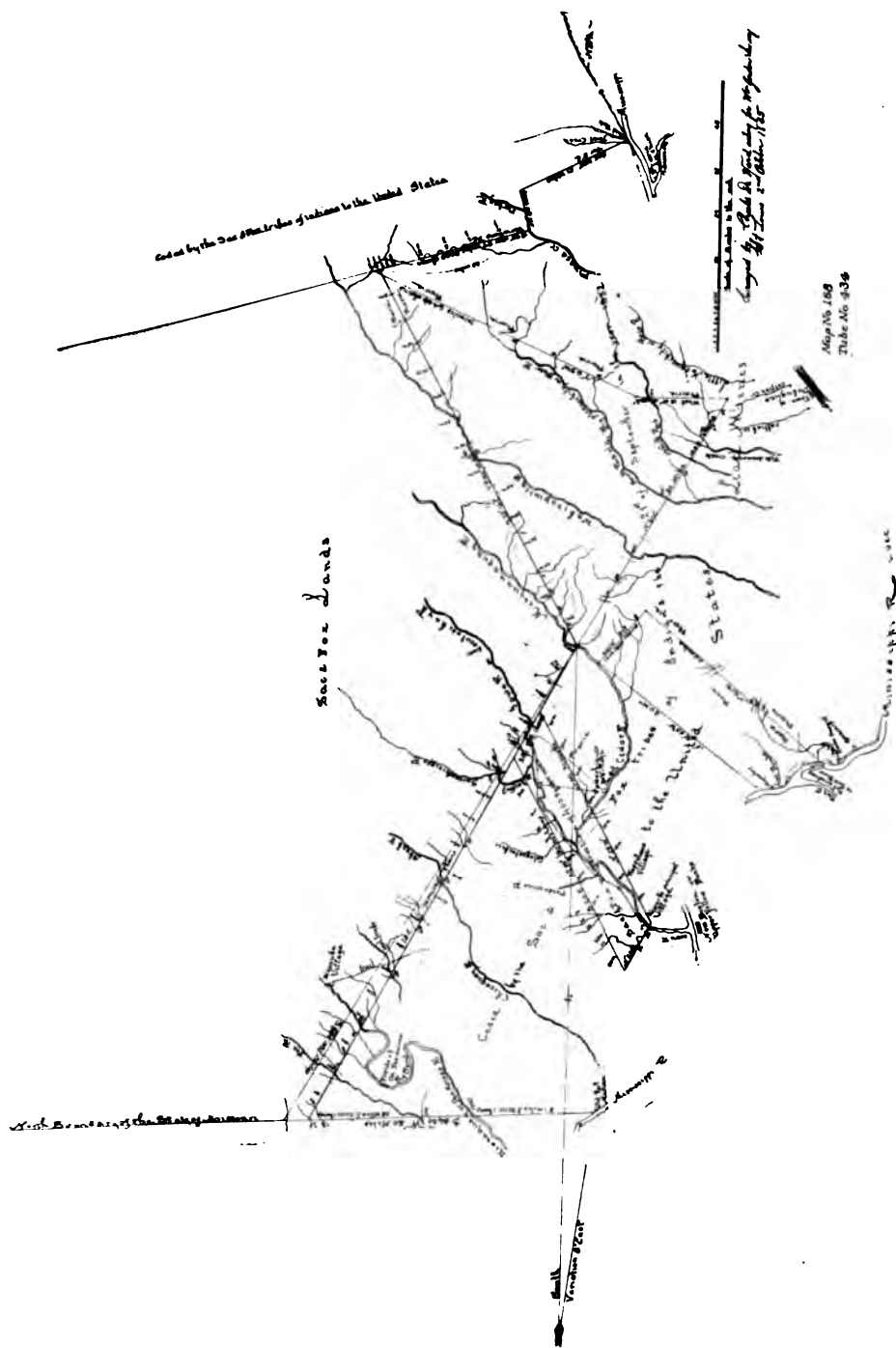
Continued N. 73.15 E. 80.00 Chs 81-80 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil 1st Rate, fit for cultivation

Continued N. 73.15 E. 80.00 Chs 82-81 mile where set a Stake from which a white Oak 18 inches in diameter bears S 46 W. 63 lks distant marked Thus U. S. 81 M and a white Oak 15 inches in diameter bears S 44.30 E 118 links distant marked Thus U. S. 81 M and a white Oak 15 inches in Diameter bears N 64 E. 66 links distant Marked Thus SIOUX 81 M: and a white Oak 15 inches in diameter bears N 41 E 196 links distant Marked Thus SIOUX 81 M at this corner Struck the timber Land gently Rolling Soil 1st Rate fit for cultivation—

Continued N. 73.15 E. at 10 44 lks Struck a small creek 25 lks wide Runs South at 44.10 lks to a white Oak 9 inches in Diameter where left the timber 80.00 Chs 83-82 mile Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling 1st Rate Timber white and Red Oak low and scrubby Land fit for cultivation

Continued N. 73.15 E. 80.00 Chs 84-83 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 85-84 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil 1st Rate fit for cultivation



Map by Charles De Ward, showing line of southeast corner of Sac and Fox cession of Neutral Ground, and the western boundary of the cession of September 21, 1832, known as the "Black Hawk Purchase."

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Continued N. 73.15 E. 80.00 Chs 86-85 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil first Rate with some hazle growing on it fit for cultivation

May 30th 1832

Continued N. 73.15 E. at 15.00 Chs Struck the timber 22.50 lks to the *west Bank of Red Cedar* 200 lks wide Runs S.E. This River is Shoally and Rocky Banks 37.50 lks to a Blue Ash 14 inches in diameter 80.00 Chs 87-86, mile where set a Stake from which a Red Oak 20 inches in Diameter bears N 9 E 155 lks Distant marked thus SIOUX 86 M. and a Slippery Elm 20 inches in Diameter bears. . S 30 W. 34 lks. . Distant marked thus U.S. 86 M— Land Roling Soil 1st Rate timber Oak Elm lynn and Sugartree Undergrowth same fit for cultivation

Continued N. 73.15 E. 16.13 lks a white Oak 24 inches in diameter at 60.00 Chs left the timber 80.00 Chs 88-87 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 1st Rate timber Oak Lynn and Elm Undergrowth hazle oak and quakenasp

Continued N. 73.15 E. 80.00 Chs 89-88 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 90-89 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 1st Rate This land fit for cultivation

Continued N. 73.15 E. 80.00 Chs 91-90 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 1st Rate fit for cultivation

May 31st 1832

Continued N. 73.15 E. 80.00 Chs 92-91 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 1st Rate, with some scattering hazle Brush, fit for cultivation

Continued N. 73.15 E. 80.00 Chs 93-92 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 94-93 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil first Rate with some scattering trees thickly set with hazle Brush, fit for cultivation

Continued N. 73.15 E. 80.00 Chs 95-94 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 8.00 Chs Struck the timber 10.00 Chs to creek 50 lks wide Runs South Strong current 80.00 Chs 96-95 mile where set a Stake from which a white Oak 15 inches in diameter

bears N. 11 E. 2.04 lks distant marked thus SIOUX 95 M and a Red Oak 18 inches in diameter bears S 14 W 2.91 links distant marked thus U.S. 95 M. Land gently Rolling Soil 2nd Rate timber Scattering low and scrubby white and Red Oak undergrowth hazle and Oak

Continued N. 73.15 E. 24.50 lks to a white at 45.00 Chs Oak 9 inches in Diameter left the timber 80.00 Chs 97-96 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil good timber Red and white Oak undergrowth same fit for cultivation

June 1st 1832

Continued N. 73.15 E. 80.00 Chs 98-97 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 99-98 mile. Raised a mound and Deposited a cilender of Charcoal as Required. Land gently Rolling—1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 100-99 mile Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolin 2nd Rate fit for cultivation

Continued N. 73.15 E. at 5.00 Chs Struck the timber 15.50 lks to the west Bank of a creek 30 lks wide Runs S.E— 80.00 101-100 mile where sat a Stake from which a Red Oak 14 inches in Diameter bears N. 1. W 90 links Distant marked thus SIOUX 100 M and a white Oak 14 inches in Diameter bears S 3. E 103 links Distant marked Thus U.S. 100 M— Land gently Rolling Soil thin timber Oak Ash and Elm undergrowth Same

Continued N. 73.15 E. 30.10 lks to a Red Oak 9 inches in Diameter— at 70.00 Chs left the timber 80.00 Chs 102-101 mile. Raised hazle Oak and Adder fit for cultivation Rained all the fore noon of this day

June 2nd 1832

Detained this day in csequence of Rain and wind

June 3rd 1832

Continued N. 73.15 E. 80.00 Chs 103-102 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 104-103 mile Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil 2nd Rate fit for cultivation—

Continued N. 73.15 E. 80.00 Chs 105-104 mile. Raised a mound and Deposited a cilender of Charcoal as Required— Land gently Rolling. Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 106-105 mile— Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 107-106 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 108-107 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 109-108 mile where set a post from which a Red Oak 14 inches in Diameter bears N 9 W. 24 links distant marked thus SIOUX 108 M and a Red Oak 14 inches in Diameter bears S 2 W 48 links Distant Marked thus U S. 108 M—Land gently Roling 1st Rate

Continued N. 73. 15 E. at 10.00 Chs left the timber Red and white Oak 17.00 Chs to small creek 20 lks wide Runs South 37.54 lks to a white Oak standing alone in the Prairy 18 in dia 80.00 Chs 110-109 mile. Raised a mound and Deposited a cilender of Charcoal as Required— Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 111-110 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 1st Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 112-111 mile. Raised a Mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 113-112 mile. Raised a mound and Deposited a cilinder of Charcoal as Required Land gently Roling Soil 2nd Rate fit for Cultivation

Continued N. 73.15 E. 80.00 Chs 114-113 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 115-114 mile. Raised a mound and Deposited a Cilender of Charcoal as Required Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 116-115 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 116-117 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 2nd rate fit for cultivation

June 4th 1832

Continued N. 73.15 E. 80.00 Chs 118-117 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 119-118 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 120-119 mile Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 121-120 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 121-122 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 123-122 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 124-123 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 125-124 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 126-125 mile Raised a mound and Deposited a cilender of Charcoal as Required Land Roling Soil 2nd Rate fit for cultivation

Continued N. 73.15 E. 80.00 Chs 127-126 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land Broken and Rich (In Establishing this corner I discovered that I had made a Mistake in numbering this corner) This is corner from which I run N 17- $\frac{1}{4}$ W— from At 127. mile Established a corner oposite the Source of the left hand fork of the Ioway River by Raising a mound and Depositing a cilender of Charcoal as Required—

June 5th 1832—

Lay by the 6th—The 7:8 and a part of the 9th Spent in running across to the mouth of the Left hand fork of the Ioway River—for the purpose of prooving the work

Continued the line as follows— N. 17- $\frac{1}{4}$ W. 80.00 Chs—1 mile Raised a mound and Deposited a cilender of Charcoal as Required Land Broken not fit for cultivation—

Continued N. 17- $\frac{1}{4}$ W. 80.00 Chs—2 mile Raised a mound and Deposited a cilender of Charcoal as Required Land Roling with hazle Brush and Oak on it Soil 2nd Rate fit for cultivation—

Continued N. 17- $\frac{1}{4}$ W. 3.00 Chs to the Ioway River 150 lks wide Runs East 22.69 links to a Bur Oak 14 inches in Diameter 70.00 Chs Struck the heavy timber— 80.00 Chs—3 mile where sat a Stake from which a white Oak 30 inches in Diameter bears N 77 E. 38 links Distant marked thus U S 3 M— and a white Oak 36 inches in diameter bears S 68- $\frac{1}{2}$ W 102 links Distant marked thus SIOUX 3 M—

June 9th 1832

Continued N. $17\frac{1}{4}$ W—18.00 to the Ioway River 125 links wide Runs South—28.50 lks Struck the Ioway River and Run with the channel at 38.50 links left the channel of the River— 59.00 Chs Struck the Ioway River 75 links wide Runs East 80.00 Chs—4 mile where sat a Stake— from which a white Oak 15 inches in Diameter bears S $72\frac{1}{2}$ W 175 links Distant marked thus SIOUX 4 M and a white Oak 15 inches in diameter bears S $87\frac{1}{2}$ E 137 links Distant marked thus U.S 4 M— Land Broken Soil thin timber low— White and Red Oak Undergrowth Same—

Continued N. $17\frac{1}{4}$ W. 80.00 Chs—5 mile Raised a mound and Deposited a cilender of Charcoal as Required Land Broken and poor timber white and Black Oak small low and scrubby— undergrowth same

Continued N. $17\frac{1}{4}$ W. 40.00 Chs—5 $\frac{1}{2}$ mile. Raised a mound and Deposited a cilender of Charcoal as Required Land Rolling Barony land timber scattering and small fit for cultivation—

Continued thence N. $62^{\circ}.20'$ E. 47.92 links to a white Oak 8 inches in Diameter— 80.00 Chs—1 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil thin timber low scattering and scrubby white Oak— Undergrowth Same—

Continued N. $62^{\circ}.20'$ E. 80.00 Chs—2 mile Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil 2nd Rate white and Red Oak low Scattering and Small— Undergrowth hazle and Oak— fit for cultivation

Continued N. $62^{\circ}.20'$ E. 95.00 Chs Struck the open Prairy— 80.00 Chs—3 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land gently Rolling Soil 2nd Rate timber white and Red Oak Scrubby and Scattering Undergrowth hazle and Oak fit for cultivation

Continued N. $62^{\circ}.20'$ E. 80.00 Chs—4 mile. Raised a mound and Deposited a cilender of Charcoal as Required This mile open Barrons timber Scattering and Small Land gently Rolling Soil 2nd Rate: fit for cultivation

Continued N. $62^{\circ}.20'$ E. 80.00 Chs—5 mile Raised a mound and Deposited a cilender of Charcoal as Required Land Gently Rolling 2nd Rate Barrons, timber low and Scattering white Oak undergrowth hazle and Oak— fit for cultivation

Continued N. $62^{\circ}.20'$ E. 80.00 Chs—6 mile. Raised a mound and Deposited a cilender of Charcoal as Required This mile Brushy Prairy hazle and Oak Soil 2nd Rate fit for cultivation

*The varying indications of course, 78.15 , $62^{\circ}.20'$ &c. is according to certified copy.

Continued N. 62°.20' E. 40.94 links to a white Oak 15 inches in Diameter— 80.00 Chs—7 mile. Raised a mound and Deposited a cilender of Charcoal as required This mile Barrons Timber white oak Land gently Roling Soil 2nd Rate fit for cultivation—

Continued N. 62°.20' E. 42.37 links to a white oak 10 inches in Diameter 80.00 Chs—8 mile Raised a mound and Deposited a cilender of Charcoal as Required This mile Barrons. Timber low and Scattering white oaks Land gently Roling, Soil 2nd Rate fit for cultivation

Continued N. 62°.20' E. 80.00 Chs—9 mile. Raised a mound and Deposited a cilender of Charcoal as Required This mile Broken Barrons Timber white and Red oak Undergrowth hazle Oak and quakenasp Not fit for cultivation—

June 10th 1832

Continued N. 62.20 E. 80.00 Chs—10 mile Raised a mound and Deposited a cilender of Charcoal as Required Land Broken Prairy Soil 2nd Rate fit for cultivation

Continued N. 62°.20' E. 37.89 links to a white oak 18 inches in Diameter 80.00 Chs—11 mile. Raised a mound and Deposited a cilender of Charcoal as Required This mile mostly Barrons and Broken— Timber white oak Not fit for cultivation

Continued N. 62°.20' E. 66.80 links to a white oak 6 inches in Diameter— 80.00 Chs—12 mile Raised a mound and Deposited a cilender of Charcoal as Required This mile Barrons timber small and Scattering Land gently Roling Soil 2nd Rate fit for cultivation

Continued N. 62°.20' E. at 54.00 Chs Struck a heavy Boddy of timber 63.00 Chs to a Red oak 12 inches in Diameter This Boddy of timber is of but little (value) contineuned. Becomes Barrons— 80.00 Chs—13 mile. Raised a mound and Deposited a cilender of Charcoal as Required Land Roling Soil 2nd Rate timber white oak Red oak quakenasp and Lynn Undergrowth mostly hazle

Continued N. 62°.20' E. 22.94 links to a quakenasp 12 inches in Diameter 80.00 Chs—14 mile where Sat a post from which a quakenasp 14 inches in Diameter bears S 44 W 43 lks distant marked thus U S 14 M and a quakenasp 15 inches in Diameter bears N 34 E. 51 links Distant marked thus SIOUX 14 M— Land Roling Soil good timber Red and white Oak quakenasp and Lynn Undergrowth Oak quakenasp and hazle

Continued N. 62°.20' E. 28.08 link to a white oak 12 inches in Diameter 33.50 links to a creek 50 links wide Rung N.W. 80.00 Chs—15 mile Rais a mound and Deposited a cilender of Charcoal as Required The first 33.50 link of this mile thick timber and very Broken the last Part Barrons and Brushy gently Roling 2nd Rate—

Continued N. 62°.20' E. 30.96 links to a white oak 6 inches in Diameter— 80.00 Chs—16 mile Raised a mound and Deposited a

cilender of Charcoal as Required— Land Roling Soil thin timber Small and Scattering white oak

Continued N. 62°.20' E. 17.12 links to a white oak 8 inches in Diameter 80.00 Chs—17 mile where sat a post from which a white oak 12 inches in diameter bears N 37-½ E. 56 links marked thus SIOUX 17 M. and a white oak 14 inches in Diameter bears S 2 E. 44 links Distant marked thus U.S. 17 M— Land gently Roling Soil 2nd Rate timber low and scattering—fit for cultivation

Continued N. 62°.20' E. 80.00 Chs—18 mile. Raised a mound and Deposited a cilender of Charcoal as Required— This mile hilly and Barony— Some Scrubby timber white and Red Oak— Not fit for cultivation

Continued N. 62°.20' E. 45.23 links to a white oak 8 inches in Diameter 80.00 Chs—19 mile, where Sat a Stake from which a Black oak 14 inches in Diameter bears N 3. W 114 links Distant marked thus SIOUX 19M. and a Black oak 12 inches in Diameter bears N 79 E 152 links Distant marked thus U.S. 19 M. this mile Rocky and hilly Some Scattering trees low and Scrubby Not fit for cultivation

June 11th 1832

Continued N. 62°.20' E. 26.59 links to a Black oak 10 inches in Diameter 80.00 Chs—20 mile where Sat a Stake from which a Black oak 14 inches in diameter bears N 27 E 236 links Distant marked thus SIOUX 20 M and a Black Oak 15 inches in Diameter bears S 1°.30' E 81— links Distant marked thus U.S 20 M This mile Broken and Barrony timber low and scattering white and Black oak Undergrowth Oak Not fit for cultivation

Continued N. 62°.20' E. 37.16 links to a white oak 6 inches in Dia— 74.00 to a creek 40 links wide Runs North Deep gentle current 80.00 Chs—21 mille. Raised a mound and Deposited a cilender of Charcoal as Required This mile hills with some scattering timber white and Black Oak Not fit for cultivation

Continued N. 62°.20' E. 80.00 Chs—22 mile Raised a mound and Deposited a cilender of Charcoal as Required This mile hills and hollows Not fit for cultivation

Continued N. 62°.20' E. 30.69 links to a Black oak 6 inches in Diameter 80.00 Chs—23 mile where Sat a post from which a Red oak 15 inches in Diameter bears S 50-½ E 225 links Distant marked thus U S. 23 M and a white oak 12 inches in Diameter bears N 27-¾. W 378 links Distant marked thus SIOUX 23 M. This mile hills— timber Scattering low scrubby Oak Undergrowth same Not fit for cultivation

Continued N. 62°.20' E. 80.00 Chs—24 mile where sat a post from which a Red oak 14 inches in Diameter bears N. 38-½ W 276 lks Distant marked thus SIOUX 24 M and a Red oak 12 inches in

Diameter bears S 61 E 196 links Distant marked thus U S. 24 M Land Broken and poor timber low and Scattering white and Red Oak Undergrowth same

Continued 80.00 Chs—25 mile. Raised a mound and Deposited a cilender of Charcoal as Required This mile hills and poor timber low scattering and Scrubby Undergrowth same

Continued N. 62°.20' E. 46.87 links to a Black oak 6 inches in Diameter 80.00 Chs—26 mile where sat a Stake from which a Black oak 12 inches in Diameter bears S 22 W 61 links Distant Marked thus U S 26 M and a Black Oak 14 inches in Diameter bears North 126 links Distant marked thus SIOUX 26 M Land Barrons poor timber white and Black Oak Scattering and scrubby Undergrowth same

Continued N. 62°.20' E. 80.00 Chs—27 mile— Raised a mound and Deposited a cilender of Charcoal as Required This mile Barrony hills— timber white and Black oak scrubby

Continued N. 62°.20' E. 15.50 links to a small creek 35 links wide Runs N.W. deep and tolerably strong current— 80.00 Chs—28 mile— Raised a mound and Deposited a cilender of Charcoal as Required this mile hilly no timber some Oak Brush

Continued N. 62°.20' E. 64.71 links to a Black oak 8 inches in Dia 80.00 Chs—29 mile where Sat a Stake from which a Black oak 14 inches in Diameter bears S 29 W 53 links Distant marked thus U.S. 29 M and a Black oak 15 inches in Diameter bears N 34 E 54 links Distant marked thus SIOUX 29 M this mile hilly and Broken timber Black and white oak Undergrowth same

Continued N. 62°.20' E. 56.00 Chs to a white oak 6 inches in Diameter 80.00 Chs—30 mile Raised a mound and Deposited a cilender of Charcoal as Required This mile Broken timber white oak Scattering and Scrubby

June 12th 1832

Continued N. 62°.20' E. 40.39 links to a Red oak 18 inches in Diameter 80.00 Chs—31 mile where Sat a Stake from which a white oak 14 inches in Diameter bears N 65-½ W 399 links Distant marked thus SIOUX 31 M and a white oak 10 inches in Diameter bears S 53 E 105 links Distant marked thus U S 31 M Land Broken and hilly and Poor timber white and Red Oak Undergrowth same

Continued N. 62°.20' E. 39 Chs to a Black oak 10 inches in Diameter 54.43 links to a Black oak 14 inches in Diameter 80.00 Chs—32 mile where Sat a Stake from which a Black Oak 14 inches in Diameter bears N 18-½ W 44 links Distant marked thus SIOUX 32 M— and a white oak 18 inches in Diameter bears S 22-¼ E 77 links Distant marked thus U S 32 M this mile Broken and hilly timber Black and white oak Undergrowth Same Not fit for cultivation

Continued N. 62°.20' E. 32.77 links to a Black oak 18 inches in Diam 80.00 Chs—33 mile where Sat a Stake from which a Black oak 12 inches in Diameter bears S 3 W 150 links Distant marked thus U S 33 M and a Black oak 16 inches in Diameter bears N 00°.30' E 15 links Distant marked thus SIOUX 33 M— This mile broken and hilly timber white and Black Oak Undergrowth same Not fit for cultivation

Continued N. 62°.20' E. 53.45 links to a white oak 10 inches in Diameter 80.00 Chs—34 mile where Sat a Stake from which a Black oak 8 inches in Diameter bears S 46-½ E— 105 links Distant marked thus U S. 34 M— and a Black oak 18 inches in Diameter bears N 3-½ W 191 links Distant marked thus SIOUX 34 M— This mile Broken and hilly— timber white and Black oak undergrowth same Not fit for cultivation

Continued N. 62°.20' E. 80.00 Chs—35 mile Raised a mound and Deposited a cilender of Charcoal as Required— This mile Broken Barrony land not fit for cultivation timber Black and white oak low and Scattering—

Continued N. 62°.20' E. 80.00 Chs—36 mile Raised a mound and Deposited a cilender of Charcoal as Required This mile Broken Prairy

Continued N. 62°.20' E. 80.00 Chs—37 mile where Raised a mound and Deposited a cilender of Charcoal as Required This mile hilly Barrons— timber— Black Oak Undergrowth Same— At 75 Chs on this mile Struck the low lands of Root River Bottom Prairy

June 13th 1832

Continued N. 62°.20' E. 38.24 links to the S. W. Bank of Root River— 340 links wide Runs S E 45 chain Struck the hills at 47 chs a white Oak 10 inches in Diameter— 65 chains a Black oak 12 inches in Diameter 80.00 chs—38 mile where Sat a post from which a white Oak 15 inches in Diameter bears N 52 W 30 links Distant marked Thus SIOUX 38 mile and a white oak 15 inches in Diameter bears S 56 E 71 links Distant marked thus U S 38 M— The first ½ mile level Prairy the last ½ mile Broken Soil thin Timber Oak

Continued N. 62°.20' E. 21.50 lks a Black oak 18 inches in Diameter 50.00 chs a Black Oak 15 inches in Diameter 80.00 chs—39 mile where Sat a post from which a Black Walnut 15 inches in Diameter bears N 2 E 21 links Distant marked thus SIOUX 39 M and a Black oak 15 inches in Diameter bears S 30 W 8 links Dist marked thus U. S 39 M— This mile Broken and Rocky timber mostly Oak

Continued N. 62°.20' E. 33.50 links a white oak 15 inches in Dia 80.00 Chs—40 mile where Sat a Post from which a Black oak 16 inches in Diameter bears N 38 W 41 links Distant marked thus SIOUX 40 M— and a Black Oak 14 inches in Diameter bears

S 10 E— 30 links Distant marked thus U S. 40 M Land Broken and poor Timber mostly Oak

Continued N. 62°.20' E. 60.00 Chs a Black Oak 15 inches in Diameter 80.00 Chs—41 mile where Sat a post from which a white Oak 15 in in Diameter bears N 38 W 16 links Distant marked thus SIOUX 41 M and a Black oak 14 inches in Diameter bears S 48 E 26 links Distant marked thus U S— 41 M—

Continued N. 62°.20' E. 70.00 Chs a Black oak 15 inches in Diameter 80.00 Chs—42 mile where Sat a post from which a Black oak 18 inches in Diameter bears N 14 E. 19 links Distant marked thus SIOUX 42 mile and a white oak 15 in dia brs 623 W 40 lks Marked thus U S 42 M This mile Broken and Poor timber white and Black Oak Undergrowth same

Continued N. 62°.20' E. 15 Chs a Black oak 20 inches in Diameter 55 00 chs a Branch 30 links wide Runs East 80.00 chs 43 mile where Sat a post from which a Black oak 12 in Dia bears N 45 W. 15 links Distant marked thus SIOUX 43 M and a Black Oak 20 inches in Diameter bears S 42 E 25 links Distant marked thus U. S— 43 M— Land Roling Soil thin Timber Black oak Undergrowth Same

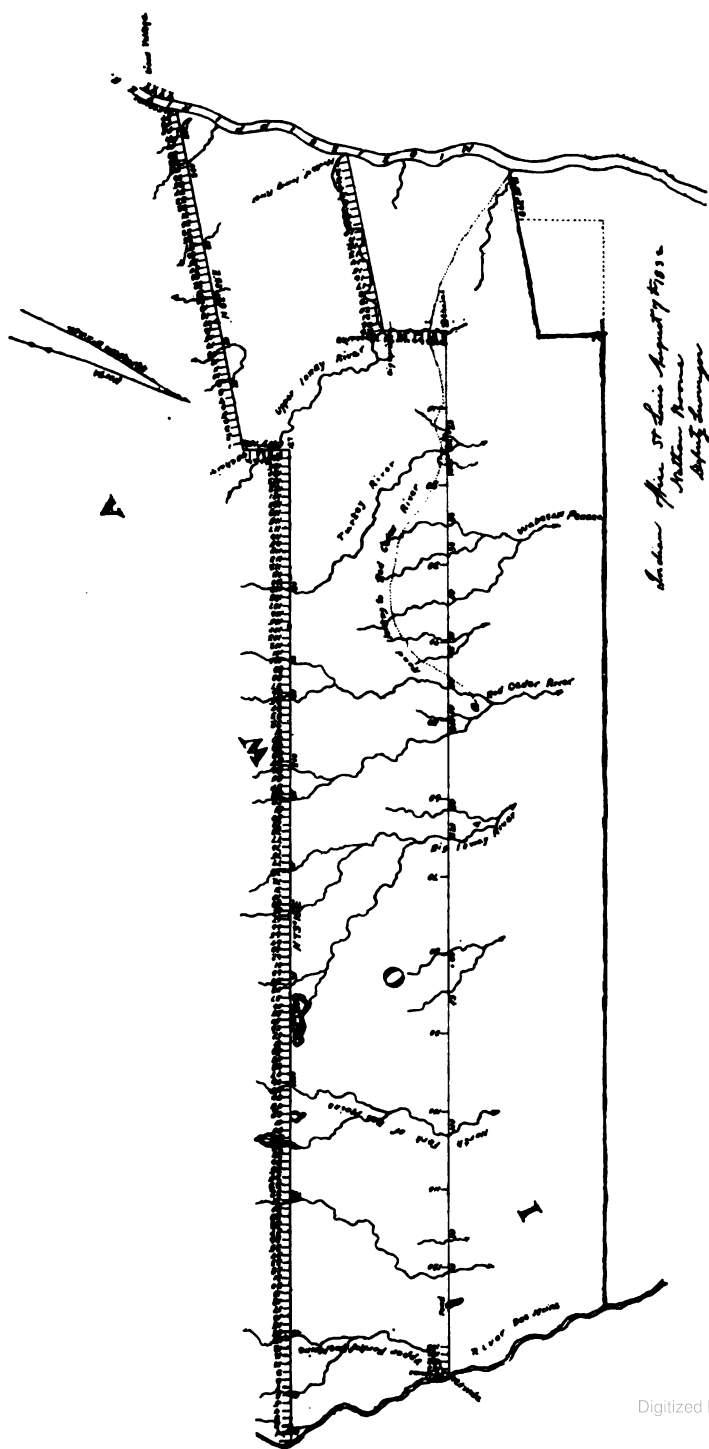
June 14th 1832

Continued N. 62°.20' E. at 17.50 lks a Black oak 14 inches in Diameter 18.00 chs the low lans of the Mississippi 80.00 Chs Set a post from which a Elm 14 in in dia brs N 31 W 14 Links Distant Marked thus SIOUX 44 M— and a Black ash 14 inches in diameter bears S 40 E 26 lks marked thus U S 44 M— The Last 62 chain level inundated Land part prairy and part Timber

Continued N. 62°.20' E. 47.50 lks to the western Bank of the Mississippi River To hickory tree the N. West corner of the Sioux Session from which a hackberry 15 inches in diameter brs N 54 W 52 lks marked thus SIOUX 44-½ M— and a Elm 14 inches in diameter bears S 35 E. 37 lks marked Thus U S 44-½ M and a white oak 12 inches in Dia brs N 43 W. 11 lks marked SIOUX 44-½ M and a Black ash 10 in in Diameter brs S 13 W 24 links marked Thus U S. 44-½ M There being no objects of Notoriety in view of this place on Either Side of the River further than this corner Stands Immediately oposite the head of an Island, at this place the River Runs S 10 E— Land this ½ mile inundated from one to three feet deep

June 16th 1832

From thence down the Mississippi as follows: S. 12 E. 80.00 Chs; S. 20 E. 80.00 Chs; S. 10 E. 75.00 Chs; S. 43 E. 70.00 Chs; S. 9 E. 30.00 Chs; S. 4 E. 64.00 Chs to Root River 400 lks wide Runs S. E.; S. 40 E. 32.00 Chs; S. 23 E. 20.00 Chs; S. 5 W. 38.00 Chs; S. 26 W. 60.00 Chs; S. 5 E. 25.00 Chs; S. 5 W. 20.00 Chs; S. 23 W. 20.00 Chs; S. 35 W. 20.00 Chs; S. 26 W. 22.00 Chs; South 30.00 Chs; S. 11 E.



*Sketch of the 50 line August 1832
Nathan Boone
James Craig*

*Scale of 8 miles to the inch.
Field Notes No 131 & 132.
Tube No. 58.
Map No. 92.*

Map of Neutral Ground drawn by Maj. Nathan Boone, August 7, 1832 (See ANNALS, p. 248, January, 1914), with south line altered to accord with notes of James Craig who actually located it on and after September 8, 1833.

EARLY IOWA INDIAN TREATIES AND BOUNDARIES 377

35.00 Chs; S. 5 W. 30.00 Chs; S. 13 E. 38.00 Chs; S. 10 W. 20.00 Chs; S. 2 E. 22.00 Chs; S. 16 W. 15.00 Chs; S. 10 E. 35.00 Chs; S. 7 W. 20.00 Chs; S. 6 E. 15.00 Chs; S. 12 E. 75.00 Chs; S. 14 W. 10.00 Chs; South 35.00 Chs; S. 8 W. 13.00 Chs; S. 5 E. 20.00 Chs; S. 13 W. 15.00 Chs; S. 35 W. 8.00 Chs; S. 57 W. 10.00 Chs; S. 89 W. 10.00 Chs; S. 40 W. 20.00 Chs; S. 58 W. 17.00 Chs; S. 7 W. 12.00 Chs; S. 15 E. 20.00 Chs; S. 58 E. 19.00 Chs; S. 9 W. 15.00 Chs; S. 3 E. 30.00 Chs; S. 1 W. 18.00 Chs; S. 8 W. 9.00 Chs; S. 2 E. 60.00 Chs; S. 14 W. 20.00 Chs; S. 3 W. 54.00 Chs; S. 5 E. 80.00 Chs; S. 50 E. 50.00 Chs; S. 9 E. 65.00 Chs; S. 20 E. 74.00 Chs; S. 30 W. 48.00 Chs; S. 25 W. 38.00 Chs; S. 5 E. 130.00 Chs To the Mouth of the Ioway River it will be here observed that those Mounds are not taken immediately on the bank of the River owing to many places being inundated by waters

June 19th 1832

Run to the two Meridian variation 9. E.—

Nathan Boone
Surveyor

I certify that the foregoing notes, on pages one to fifty-eight, are the original field notes of the Survey therein contained as executed under the 2nd article of a treaty made the 19th August 1825 & 15th July 1830 with the SOCS FOXES, & SIOUX Indians; and that the line courses and distances were all taken with my Compass set to a variation of 9° East.

Indian Office August 7th 1832

Nathan Boone
Deputy Surveyor

Field Notes of Sac and Fox Cession of Neutral Ground.

Field Notes of Survey of the Sac and Fox cession agreeable to the 2nd Article of the Treaty of July 15, 1830 (7 Stats., p. 329) by Nathan Boone, commencing June 19, 1832.

Beginning at the mouth of the Upper Iowa river at a Black Ash tree 12 in. in diam. Thence down and along the west bank of the Mississippi river as follows: South 27 E. 60 chs; S. 14 E. 85 chs; S. 21 E. 10 chs; S. 16 E. 70 chs; S. 3 E. 15 chs; S. 15 W. 26 chs; S. 40 E. 10 chs; S. 69 E. 10 chs; S. 40 E. 17 chs; S. 29 E. 20 chs; S. 24 E. 25 chs; S. 37 E. 3 chs; S. 37 E. 13 chs; S. 22 E. 25 chs; S. 36 E. 80 chs; S. 83 E. 5 chs; S. 37 E. 20 chs; S. 48 E. 10 chs; S. 40 E. 56 chs; S. 26 E. 20 chs; S. 15 E. 12 chs; S. 57 W. 17 chs; S. 23 E. 14 chs; S. 62 E. 20 chs; S. 34 E. 20 chs; S. 43 E. 28 chs to Flint Creek about 100 links wide bears E. & W.; S. 84 E. 11 chs; S. 73 E. 13 chs; S. 79 E. 20 chs; S. 83 E. 5 chs; S. 70 E. 32 chs; S. 60 E. 10 chs; S. 52 E. 15 chs; S. 38 E. 48 chs; S. 89 E. 12 chs; N. 85 E. 19 chs; S. 75 E. 17 chs; S. 60 E. 40 chs; S. 73 E. 47 chs;

S. 56 E. 12 chs; S. 76 E. 7 chs; S. 61 E. 22 chs; S. 42 E. 40 chs; S. 43 E. 23 chs; South 10 chs; S. 60 E. 29 chs; S. 32 E. 43 chs; S. 83 E. 20 chs; S. 41 E. 40 chs; S. 32 E. 6 chs; S. 21 E. 30 chs; S. 10 E. 27 chs; S. 1 E. 15 chs; S. 13 W. 21 chs; S. 13 W. 10 chs; S. 2 W. 56 chs; S. 14 W. 40 chs; S. 22 W. 8 chs; S. 28 W. 10 chs; S. 33 W. 48 chs; S. 25 W. 11 chs; S. 21 W. 40 chs; S. 29 W. 20 chs; S. 41 W. 80 chs; S. 41 W. 40 chs; S. 18 W. 80 chs; S. 18 W. 25 chs; S. 50 W. 15 chs; N. 81 W. 3.50 chs; N. 75 W. 8 chs; S. 58 W. 15 chs; S. 33 W. 27 chs; S. 25 W. 30 chs; S. 20 W. 35 chs; S. 14 W. 25 chs; S. 8 W. 10 chs; S. 13 W. 50 chs, where sat a stake⁴ on the West bank of the Mississippi river for the N. E. (S. E.?) corner of the Sac and Fox cession, from which a white oak 16 in. in diameter bears N. 27 E. 186 links distant marked U. S. and a hickory 12 in. in diam. bears S. 63 E. 29 links distant with a blaze and notch over it and a white oak 14 in. in diameter bears S. 28 W. 240 links distant. From this corner a *very noted Rock* of about 200 feet in height bears N. 31 W. 540 links distant and immediately at this place the "Trading Road" leading to the Red Cedar leaves the river. This road is known by the name of *Rolets' Road*.

From this corner ran as follows: S. 62°.20' W. 80 chains (1 mile); S. 62°.20' W. 80 chains (2 miles); set a post from which a white oak 20 in in diameter bears N. 46 W. 22 links dist. marked "U. S. 2 m" and a Lynn 24 in in diameter bears N. 46 E. 55 links dist. marked U. S. 2 m and a white oak 30 in in diam. bears S. 48 W. 43 links dist. marked "SACS 2 m" and a white oak 36 in in diam. bears S. 52 E. 61 links dist. marked "SACS 2 M."

Quit work June 26, 1832, in consequence of the hostilities of the Indians.

James Craig on September 8, 1833 commenced the survey of the Southern boundary of the said Sac and Fox cession, at the point where Major Boone left off in June 1832 two miles from the *Painted Rock*, whence *Rolets Road* leaves the Mississippi about 7 miles above Prairie du Chien—Varia. of Compass 9° E. Thence ran:

S. 62°.20' W. 1520 chains 21st mile Planted a post from which a burr oak 8 in in diam. bears N. 87° W. 8 links dist. and another burr oak 9 in in diam. bears S. 36 E. 95 links marked "SACS 21 m", and burr oak 10 in. in diam. N. 70 W. 432 links.

S. 17°.15' E. 560 chains 7 mile—(Crossing Turkey river on 7th mile)—Planted post whence burr oak 12 in. in diam. bears N. 12 E. 15 links Marked Sacs 7th mile. Burr oak 10 in in diam. bears N. 44 W. 18 links marked U. S. 7th mile—Burr oak 12 in in diam. bears S. 29 E. 11 links marked Sacs 7th mile

Thence S. 73.15 W.—125 miles 33 chains to Des Moines River—
At 2.50 chains crossed Turkey River 200 links wide.

⁴[24 miles, 78.50 chains from place of beginning.—Author.]

At 11 miles 22.50 chains crossed W. Branch of Turkey River 100 links wide.

At 13 miles 35 chains reached the Little Mac-quas-tois creek.

At 29 miles a mound near several large granite rocks.

At 47 miles, 57 chains reached east bank of Red Cedar River 250 links wide

At 59 miles 79 chains reached creek 200 links wide on the course S. emptying into the Iowa.

At 88 miles 29.50 chains, reached the N. fork of the Des Moines river, 140 links wide

At 116 miles 64 chains reached the middle fork of the Des Moines river 175 links wide.

At 125 miles 33 chains reach the Des Moines river, where above high water mark and on the East bank of said river stands a double cottonwood tree, one 36 in. in diam. and the other 30 in. in diam. The large one marked on South side "SACS 125 m 33 ch." and on the North side "U. S. 125 m. 33 ch."

From this tree an elm 20 in. in diameter bears S. 74 E. 18 links marked "SACS 125 m Sept. 1833" and a cottonwood 33 in. in diam. bears N. 60 W. 94 links marked "U. S. 125 m."

Thence we proceeded to meander the river on the East side as follows:—

N. 52 W. 16 chs; N. 65 W. 7 chs; N. 78 W. 7 chs; N. 75 W. 17 chs; S. 55 W. 33 chs (1 mile); S. 55 W. 2 chs; S. 77 W. 10 chs; West 10 chs; S. 45 W. 15 chs; South 7 chs; S. 20 W. 10 chs; S. 20 E. 26 chs (2 mile); S. 20 E. 2 chs; S. 35 W. 17 chs; S. 55 W. 28 chs; S. 70 W. 25 chs; N. 55 W. 8 chs (3 mile); N. 55 W. 7 chs; N. 25 E. 20 chs; North 20 chs; N. 20 W. 32 chs; N. 55 W. 1 ch (4 mile); N. 55 W. 20 chs; West 14 chs; N. 76 W. 38 chs; N. 35 W. 8 chs (5 mile); N. 35 W. 2 chs; N. 54 W. 15 chs (to where our former line crossed the river); N. 42 W. 9 chs; N. 35 W. 54 chs (6 mile); N. 35 W. 15 chs; N. 14 W. 8 chs; North 10 chs; N. 11 E. 25 chs; N. 5 W. 15 chs; N. 30 W. 7 chs (7 mile); N. 30 W. 3 chs; North 9 chs; N. 39 W. 8 chs; N. 70 W. 20 chs; N. 50 W. 15 chs; N. 75 W. 25 chs (8 mile); N. 75 W. 2 chs; N. 60 W. 10 chs; N. 80 W. 18 chs; N. 25 W. 28 chs; North 15 chs; N. 18 E. 7 chs (9 mile); N. 45 E. 10 chs; N. 25 E. 5 chs; N. 45 E. 14 chs; N. 15 E. 8 chs; N. 50 E. 15 chs; North 20 chs; N. 20 W. 8 chs (10 mile).

N. 20 W. 7 chs; N. 50 W. 22 chs; West 7 chs; N. 60 W. 10 chs; West 34 chs (11 mile); West 30 chs; N. 50 W. 8 chs; N. 15 W. 24 chs; North 5 chs; N. 15 E. 13 chs (12 mile); N. 15 E. 6 chs; N. 70 E. 8 chs; East 10 chs; S. 70 E. 12 chs; N. 80 E. 11 chs; East 7 chs; N. 78 E. 26 chs (13 mile); N. 78 E. 9 chs; N. 55 E. 10 chs; N. 25 E. 15 chs; North 23 chs; N. 75 E. 5 chs; N. 25 E. 7 chs; N. 30 W. 11 chs (14 mile); N. 30 W. 12 chs; N. 45 W. 20 chs; N. 55 W. 10 chs; N. 70 W. 5 chs; N. 60 W. 10 chs; N. 80 W. 20 chs;

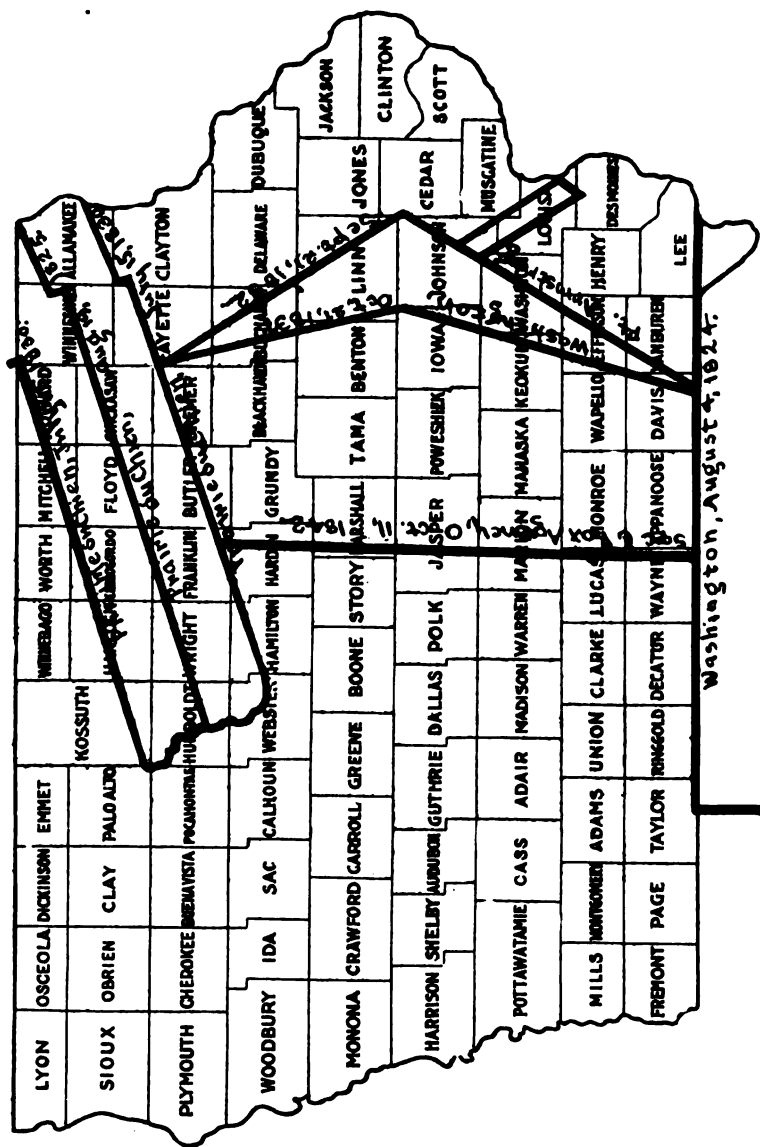
West 3 chs (15 mile); West 52 chs; N. 45 W. 5 chs; West 5 chs; S. 70 W. 15 chs; S. 80 W. 3 chs (16 mile); S. 80 W. 27 chs; S. 50 W. 13 chs; S. 70 W. 5 chs; S. 35 W. 10 chs; West 5 chs; S. 65 W. 5 chs; West 15 chs (17 mile); West 25 chs; N. 75 W. 10 chs; N. 55 W. 25 chs; North 14 chs; N. 30 E. 6 chs (18 mile); N. 30 E. 4 chs; N. 10 E. 7 chs; N. 34 E. 8 chs; N. 50 E. 5 chs; N. 5 E. 5 chs; N. 9 E. 30 chs; North 21 chs (19 mile); North 19 chs; N. 30 W. 8 chs; N. 5 W. 9 chs; N. 35 W. 10 chs; N. 55 W. 18 chs; N. 70 W. 16 chs (20 mile).

N. 70 W. 2 chs; West 5 chs; N. 70 W. 15 chs; West 40 chs; N. 45 W. 5 chs; West 13 chs (21 mile); West 10 chs; N. 61 W. 50 chs; N. 75 W. 5 chs; N. 65 W. 15 chs (22 mile); N. 65 W. 10 chs; N. 75 W. 5 chs; N. 22 W. 25 chs; North 20 chs; N. 35 E. 10 chs; N. 60 E. 8 chs; N. 30 E. 2 chs (23 mile); N. 30 E. 11 chs; North 20 chs; N. 25 W. 45 chs; N. 55 W. 4 chs (24 mile); N. 55 W. 51 chs; N. 30 W. 29 chs (25 mile); N. 30 W. 1 ch; N. 55 W. 21 chs; N. 25 W. 20 chs; North 10 chs; N. 25 E. 5 chs; N. 45 E. 4 chs; N. 5 E. 19 chs (26 mile); N. 5 E. 80 chs (27 mile); N. 5 E. 1 ch; North 30 chs; N. 45 W. 49 chs (28 mile); N. 45 W. 1 ch; N. 12 E. 79 chs (29 mile); N. 12 E. 15 chs; N. 25 W. 55 chs; North 30 chs (30 mile).

N. 45 W. 8 chs; N. 15 W. 7 chs; N. 70 W. 10 chs; N. 49 W. 35 chs (31 mile); N. 49 W. 10 chs; N. 36 W. 37 chs; North 5 chs; N. 22 E. 15 chs; North 13 chs (32 mile); North 12 chs; N. 25 E. 30 chs; N. 50 E. 20 chs; N. 20 E. 5 chs; N. 45 E. 10 chs; North 3 chs (33 mile); North 17 chs; N. 25 W. 10 chs; N. 12 E. 30 chs; N. 37 E. 15 chs; N. 17 E. 8 chs (34 mile); N. 17 E. 12 chs; N. 43 E. 45 chs; N. 48 E. 23 chs (35 mile); N. 48 E. 7 chs; N. 35 E. 8 chs; N. 70 E. 7 chs; N. 40 E. 5 chs; N. 5 E. 8 chs; N. 33 E. 15 chs; N. 7 E. 15 chs; N. 14 E. 15 chs; (36 mile); N. 5 E. 80 chs (37 mile); N. 26 W. 30 chs; N. 50 W. 20 chs; N. 70 W. 12 chs; N. 83 W. 8.50 chs to the corner

Established by Major Boone last season at the forks of the Des Moines River agreeably to the treaty of Prairie Du Chien of 1825. The Distance by the meanders are as stated 37 miles 70 chains and 50 links and the base is 20 miles and 21 chains

Finished Oct. 4, 1833



Iowa Indian Boundary Lines with places and dates of treaties fixing them

ANNALS OF IOWA

EDITORIAL DEPARTMENT

WILLIAM B. ALLISON.

The memorial to Senator Allison is rapidly approaching completion, and in order that the flight of memory may be arrested for a moment as well as that a brief record in the ANNALS may be made of contemporaneous opinion of his accomplishments deemed worthy of commemorating, we publish an article by Hon. Henry Cabot Lodge, adapted from an address in the Senate. It is apropos to here present the thought of two others of Senator Allison's colleagues in one paragraph that seems almost precision and in another that was almost prophecy:

He never attempted oratory, but by cool, logical argument he moulded the opinions of legislators. He was one of those even-tempered, level-headed, sound, sensible men to whom we naturally turned when there were difficult questions to settle. We all had confidence in his judgment, and his integrity of purpose was never doubted. By his wise conservatism as chairman of the Committee on Appropriations he saved the Government untold millions of dollars. At the same time he was not unreasonably economical. He realized the growth of the nation and its growing necessities, and appropriated accordingly.

Memorial Address in Congress, Shelby M. Cullom, Feb. 6, 1909.

We may not doubt that there will be occasions in the future when the Senate will need the counsel and guidance of Senator Allison. But it is not too much to believe that the lessons of toleration and respect for the opinions of others which are taught in the life of this great American statesman will never lose their influence in the Government of the United States. For, after all, it is not of the exploits of a parliamentary leader, nor the achievements of an experienced legislator, that we are thinking today. It is rather the quiet, courtly life he lived among us, the helpful things he did, the gentle and gracious words he used to speak, which are in our hearts at this hour and will be kept in our memories while we live. Already the Senate, departing from the custom of a long time, has directed that a picture of him shall be hung in a corridor of the Capitol by the side of the favorite statesmen of other generations.

The people of Iowa who followed him with loving confidence for nearly half a century, even down to the valley of the shadow of death, will build a monument to him within the borders of the State which gave him his high commission; and will ask permission to erect a statue here, that the affection and reverence of the Nation which gave a crown of peculiar glory to his old age may have a permanent expression in the Capitol where the great work of his life was done.

Memorial Address in Congress, Jonathan P. Dolliver, Feb. 6, 1909.

PROPOSED ARCHÆOLOGICAL SURVEY OF IOWA.

In 1892 Prof. Frederick Starr published "A Bibliography of Iowa Antiquities" and in 1895 a "Summary of the Archaeology of Iowa." He planned the "organization of exploration in every part of the State; collection of data, diagrams, plans; making of a working map, showing the location of mounds, shell-heaps, trails, village-sites, etc.—in other words, *field work*," and other work. "How far this plan is to be realized remains to be seen" says Professor Starr, and now after a score of years and a little excellent scientific work we *do* see that the curio hunter has increased; land that bore identifiable prehistoric work in 1892 denuded of forests and increased in value from fifteen and twenty dollars per acre to a hundred and fifty or two hundred; mounds that rose from one to two and a half feet and yielded valuable specimens, leveled till only the memory of them remain.

We feel it to be imperative that some institution or activity in Iowa very soon provide the State with such a survey as Professor Starr proposed, embracing each township in the State and every work reputed to be of prehistoric origin; that the rights of exploration should be secured and preserved to those able and competent to display, record and publish results; there should be encouragement and cooperation with land owners and others interested in the appropriate appreciation of the matter and the whole subject put in the class with bird life and other popular studies. We will assist in such effort or assume the responsibility of leadership if no one else assumes it soon.

¹*Proceedings of the Davenport Academy of Natural Sciences*, Vol. VI, p. 1.

²*Ibid*, p. 53.

NOTES.

The Thirty-fifth General Assembly enacted a group of laws which the Historical Department of Iowa joined other patriotic persons and associations in advocating.

House File 669 introduced by the Committee on Appropriations, approved April 10, 1913, as Chapter 14, provides for the appropriate placement of the Allison Memorial and the correction and completion of the capitol grounds.

Senate File 80, introduced by Senator Chase, approved April 9, 1913, as Chapter 348, provides for a pension of \$20.00 per month for the survivors of the Spirit Lake Expedition of 1857. The survivors availing themselves of this statute are D. H. Baker, Tiskilwa, Illinois; Daniel Morrissey, Hamilton, Montana; Albert H. Johnson, Monrovia, California; Charles B. Richards, San Diego, California, and the following residents of Iowa: Thomas B. Bonebright, Webster City; James Hickey, Emmetsburg; A. H. Malcolm, Rolfe; John N. Maxwell, Webster City; Guernsey Smith, Hawkeye, and Roderick A. Smith, Okoboji.

House File 323, introduced by Representative Grout, approved April 14, 1913, as Chapter 308, repeals section 5028-a of the Supplement to the Code of 1907 and makes the using of the National or State flag for purposes tending to produce contempt, a misdemeanor. This statute has been adopted by many of our sister states, and was brought to the attention of the Thirty-fifth General Assembly through the activities of the Iowa officials and members of G. A. R., S. A. R. and D. A. R.

A concurrent resolution was offered by Senator Larrabee and adopted as follows:

Whereas, our state has no flag known as the official flag of Iowa,
Resolved by the Senate, the House concurring, that the governor, the adjutant general, and the curator of historical collections be and they are hereby created a commission to inquire into and report

to the Thirty-sixth General Assembly upon the expediency of the adoption of an official state flag and upon the appropriateness of the design therefor if they approve of the same.

A concurrent resolution was offered by Senator DeWolf and adopted as follows:

Concurrent Resolution Relative to the Participation of the State Historical Department in the Panama-Pacific International Exhibition at San Francisco, California.

Whereas, the people of Iowa are conscious of the tender ties of blood and sentiment that bind them to the people of California, and,

Whereas, in any participation of the people of Iowa with the people of California in the opening and commercial use of the Panama canal it may be desirable to stimulate interest in the history and traditions of our state, and

Whereas, the historical collections of the state have never been allowed to be carried outside the state without express authority from the General Assembly, therefore

Be it resolved by the Senate, the House concurring that the curator of historical collections be and he is hereby authorized and directed, by and with the consent of the board of trustees of the state historical department to prepare and ship a suitable collection of portraits, documents and object materials for use and display in connection with any exhibition or participation by or on behalf of the state of Iowa that may be made at the Panama-Pacific International Exhibition at San Francisco.

A NEW FLAG PROTECTION LAW.

The Thirty-fifth General Assembly enacted as Chapter 308 of its laws, House File 323, introduced by Representative Grout at the instance of Iowa patriotic organizations and individuals. It is a statute uniform, if not identical, with those of many of our sister states. The text of the law is as follows:

AN ACT to repeal section five thousand twenty-eight-a (5028-a) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the prevention and punishment of the desecration, mutilation or improper use of the flag of the United States of America and the flag of the state of Iowa.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Repeal—desecration defined. That section five thousand twenty-eight-a (5028-a) of the supplement to the code, 1907, be and the same is hereby repealed, and the following enacted in lieu thereof:

Any person, who in any manner, for exhibition, or display, shall place or cause to be placed, any word, figure, mark, picture, design, drawing, or any advertisement of any nature, upon any flag, standard, color or ensign of the United States or state flag of this state, or ensign, or shall expose or cause to be exposed to public view any such flag, standard, color or ensign, upon which shall have been printed, painted or otherwise placed, or to which shall be attached, appended, affixed, or annexed, any word, figure, mark, picture, design, or drawing, or any advertisement of any nature, or who shall expose to public view, manufacture, sell, expose for sale, give away, or have in possession for sale, or to give away, or for use for any purpose, any article, or substance, being an article of merchandise, or a receptacle of merchandise or article or thing for carrying or transporting merchandise, upon which shall have been printed, painted, attached or otherwise placed, a representation of any such flag, standard, color or ensign, to advertise, call attention to, decorate, mark, or distinguish, the article, or substance, on which so placed, or who shall publicly mutilate, deface, defile, or defy, trample upon, or cast contempt, either by words or act, upon any such flag, standard, color or ensign, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not exceeding one hundred dollars or by imprisonment for not more than thirty days; and shall also forfeit a penalty of fifty dollars for each such offense, to be recovered with costs in a civil action, or suit, in any court having jurisdiction, and such action or suit may be brought by and in the name of any citizen of this state, and such penalty when collected, less the reasonable cost and expense of action or suit and recovery, to be certified by the clerk of the district court of the county in which the offense is committed, shall be paid into the county treasury for the benefit of the school fund, and two or more penalties may be

sued for and recovered in the same action or suit. The words, "flag, standard, color or ensign," as used in this section, shall include any flag, standard, color, ensign, or any picture or representation of either thereof, made of any substance or represented on any substance, and of any size, evidently purporting to be, either of, said flag, standard, color or ensign, of the United States of America, or a picture or a representation, of either thereof, upon which shall be shown the colors, the stars, and the stripes, in any number of either thereof, or by which the person seeing the same, without deliberation may believe the same to represent the flag, colors, standard, or ensign of the United States of America.

The possession after this act takes effect, by any person other than a public officer, as such, of any such flag, standard, color or ensign, on which shall be anything made unlawful by this section, or of any article or substance or thing on which shall be anything made unlawful by this section, shall be presumptive evidence that the same is in violation of this section, and was made, done or created after this act takes effect, and that such flag, standard, color, ensign or article, substance, or thing, did not exist when this act takes effect.

SEC. 2. In effect. This act shall be in full force and effect on and after January 1st, 1914.

Approved April 14 A. D. 1913.

Miss Evelyn Beatrice Longman, who was awarded the commission for the Allison Memorial at Des Moines, is one of the few women sculptors who have won renown for themselves. Of this few, the larger proportion has come from the West, and to this group belongs Miss Longman. Born in Winchester, Ohio, of English parents, her earliest years were spent amid humble surroundings. She received an ordinary public school education and at the age of fourteen years began to earn her living in a large wholesale house in Chicago. Inheriting a love for the artistic from her father who was a musician and something of an artist, she used her first savings in studying drawing and painting in Olivet College, Michigan. Here she began her first efforts in modeling. In

1899 she returned to Chicago and studied at the Art Institute under Lorado Taft for two years. After her course there she went to New York and worked with Hermon A. MacNeil, Isidor Konti and as assistant in the studio of Daniel C. French. Her first work of importance was a colossal "Victory" which was placed on Festival Hall, at the Louisiana Purchase Exposition at St. Louis, and won a silver medal for its designer. She has executed notable portrait busts of John Stewart Kennedy, Col. Robert M. Thompson, J. G. Schmidlapp and Kate Parsenow. Her work on the Foster mausoleum at Middleburgh, New York, and the Wells memorial and the Storey memorial at Lowell, Massachusetts, is significant for its virility and beauty. Another phase of her work is seen in the magnificent bronze doors for the chapel of the United States Naval Academy at Annapolis and the less elaborate but equally interesting doors for the library building at Wellesley College. Miss Longman is a member of the National Sculpture Society and her studio is at present in New York City, overlooking Central Park.

Mr. Henry Bacon, associate architect of the Allison Memorial, is the designer of the Lincoln Memorial at Washington, D. C. He is a western man, born at Watseka, Illinois, November 28, 1866. His parents were from New England. In 1884 he spent a year in the University of Illinois, after which he worked in the office of Chamberlin & Whidden, architects, Boston, for three years and then in the office of McKim, Mead & White of New York. In 1889 he won the Rotch traveling scholarship which gave him opportunity to spend two years abroad, studying the buildings of Italy and Greece. In 1897 he formed a partnership with James Brite which lasted until 1903. He has practiced alone since that date and has designed the architectural setting for more than sixty monuments, working with Augustus Saint Gaudens, Daniel C. French, Charles H. Niehaus, Karl Bitter and others. He has also designed the public library at Paterson, New Jersey, the general hospital at Waterbury, Connecticut, and other public buildings.

INTERPRETATION OF THE CAPITOL GROUNDS EXTENSION LAW.

(Concluded.)

III. In so far then as the act authorizes the issuance of warrants or certificates in anticipation of taxes to be collected during a biennial period and to cover any deficiency therein to meet expenses incurred in executing its purposes, not exceeding \$250,000, it ought not to be denounced as inimical to the provisions of the Constitution quoted. If the last four sections of the act were to be construed as plaintiffs contend these should be, however, a different conclusion would necessarily follow. They say that these authorize the executive council to anticipate the taxes to be levied during the entire ten years amounting in the aggregate to over \$2,200,000, \$1,200,000 of which must be collected after the first biennial period. Were it to be so construed, the limit of \$250,000 might be exceeded, and unless the principle which governed in *Swanson v. City of Ottumwa*, 118 Iowa, 161, 91 N. W. 1048, 59 L. R. A. 620, shall obtain, this would be in violation of section 2 of article 7 of the Constitution. There, the city was authorized to levy a tax annually for a series of years out of which to create a sinking fund for the purpose of the purchase or erection of a system of waterworks, and, in order to meet the present cost, to create a specific fund, by issuing bonds payable only from said sinking fund, from which and the sinking fund on hand to pay the contract price for the erection and completion of said system of waterworks. For the payment of these bonds with interest "shall be pledged the entire proceeds of the two mills sinking fund tax," "and so much of the proceeds of the water rates and rentals collected from consumers and of the water tax * * * as shall not be needed for maintenance and operation, repairs and proper and necessary extensions, additions and improvements of said waterworks." The plan was approved by a vote of the electors, a contract entered into, and the city was about to issue bonds such as contemplated, when suit was instituted to enjoin the issuance of the bonds for that, as was claimed, the indebtedness of the city then equalled the constitutional limit and such bonds would create a debt within the meaning of section 3, art. 11, of the Constitution, declaring that "no county or other political or municipal corporation shall be allowed to become indebted in any manner, or for any purpose, to an amount in the aggregate, exceeding five per

centum on the value of the taxable property within such county or corporation." On great consideration, the bonds were held not to create a "debt" such as contemplated in the above section; the court, after an exhaustive review of the authorities, saying: "Were we to give the word 'debt' the broad significance that some of the authorities would justify, we should destroy the corporate life and efficiency of every municipality which reached the allowed limit of indebtedness. But the construction we give it has strong support in the decisions of the courts of other states, is in strict line with the opinion we have heretofore frequently expressed, and preserves the integrity of the Constitution according to its evident meaning and intent, while entailing no disastrous consequences to the city or to its citizens. The right of a city to construct and own works of public utility, if such rights exist, is one of great importance, and should not be embarrassed or rendered nugatory by strained or technical construction of the Constitution or of the statutes. Its importance is not so much in the fact that public ownership is in itself wise or desirable (concerning which there may be much difference of opinion) as in the fact that with such power in reserve municipalities are placed in position to deal with private owners on equal terms, and avoid vexations which their helplessness might otherwise invite."

That case is readily distinguishable from that now before us. After the bonds were issued and the system of waterworks purchased or erected, the municipality would have no escape from the levy and collection of the taxes stipulated and the application thereof to the satisfaction of the bonds and interest. In this case, however, the action of one General Assembly is not binding on its successor unless so declared in the fundamental law, and, though the Thirty-Fifth General Assembly did enact these statutes relating to the extension of the state capitol grounds, the succeeding General Assemblies are in no manner inhibited from repealing them. Indeed, it will be within the power of the next General Assembly, or any of its successors, if so disposed, not only to repeal chapter 14 of the acts of the Thirty-Fifth General Assembly in its entirety but to dispose of the property acquired thereunder. It is said that the holders of the certificates or warrants take that risk, as these are payable only from the taxes provided in the act. But this is so with every state debt. Though the debt created may constitute a legal obligation, no remedy exists for its enforcement, unless possibly held by another state except as the state may permit, and necessarily the holder must rely upon payment at the option of the state from the only resource available, i. e., taxation. *State v. Young*, 20 Minn. 474, 9 N. W. 737. Being nonenforceable, such a debt is akin to a moral obligation, and, though condemned as in violation of good morals and as against sound public policy, no one has ever

questioned the power of a state to repudiate its debts. A subsequent Legislature might repeal chapter 14, and this would leave the certificate without a fund from which to be paid; but it is scarcely conceivable that, after having received the proceeds of the certificates and made use of its own purposes the state would deem the denial of any obligation to repay as consistent with the honor and integrity of a great people. Moreover, section 5 of article 7 of the Constitution prescribes how a debt exceeding \$250,000 shall be created and paid: (1) For some single work or object; (2) to be paid with interest from an annual tax within 20 years; and (3) applied only thereon. The particular method of creating a fund out of which the state debt, authorized by a vote of the people, shall be paid, is precisely like that contemplated in this act and approved in the Swanson Case. The only possible distinction between the statutory method of providing for the payment of municipal bonds and the constitutional method of providing for the payment of a state debt, voted by a majority of the people, is that, under the former, the bonds are expressly made payable from the sinking fund created by the levy and collection of the taxes authorized only while under the latter the limitation of payment therefrom only is plainly to be implied. The Constitution having particularly prescribed the manner of raising a revenue out of which a debt of the state shall be satisfied, an obligation for an object such as defined in the Constitution and to be discharged as therein directed ought not to be denominated as other than a debt of the state.

Nor do we find the weight of authority otherwise. Section 10 of article 7 of the Constitution of New York, though differing some, is in substance like section 2 of article 7, and is in words following: "The state may, to meet casual deficits or failures in revenues, or for expenses not provided for, contract debts, but such debts, direct and contingent, singly or in the aggregate, shall not at any time, exceed one million of dollars; and the money arising from the loans creating such debts, shall be applied to the purpose for which they were obtained, or to repay the debt so contracted, and to no other purpose whatever." Section 12, art. 7, Const. 1846 (section 4, art. 7, Const. 1894) is, in all essential particulars, like section 5 of our article 7, and the Court of Appeals, in *Newell v. People*, 7 N. Y. 11, declared an act authorizing the creation of a fund by the sale of canal revenue certificates for the enlargement and completion of the Erie, Genesee Valley, and Black River Canals and the payment of these from revenue to be derived from taxation during 21 years void as creating a debt in excess of the limitation contained in the section quoted.

Article 12 of the Constitution of North Dakota declares that "the state may, to meet casual deficits, or failure in revenue, or in case of extraordinary emergencies, contract debts but such debts shall never in the aggregate exceed the sum of two hundred thousand

dollars," with provisions like those contained in sections 4 and 5 of article 7 of our Constitution following. In *State v. McMillan*, 12 N. D. 280, 96 N. W. 310, the Supreme Court of that state, speaking through Young, C. J., declared an act of the Legislature authorizing the issuance of bonds for the construction of school buildings and payable in the future out of funds derived from the sale of lands set apart for the schools of a state debt and, as that outstanding equalled the limit fixed by the Constitution, the act was held to be in violation thereof; the court following *Newell v. People*, supra.

Section 5 of article 9 of the Constitution of Minnesota reads: "For the purpose of defraying ordinary expenditures, the state may contract public debts, but such debts shall never, in the aggregate, exceed \$250,000; every such debt shall be authorized by law, for some single object, to be distinctly specified therein; and no such law shall take effect until it shall have been passed by the vote of two thirds of the members of each branch of the Legislature, to be recorded by yeas and nays on the journals of each house respectively; and every such law shall levy a tax annually sufficient to pay the annual interest of such debt, and also a tax sufficient to pay the principal of such debt within ten years from the final passage of such law, and shall specially appropriate the proceeds of such taxes to the payment of such principal and interest; and such appropriation and taxes shall not be repealed, postponed or diminished, until the principal and interest of such debt shall have been wholly paid." In *Brown v. Ringdal*, 109 Minn. 6, 122 N. W. 469, the Supreme Court of that state upheld an act authorizing the issuance of interest-bearing certificates of indebtedness, as funds were needed for the construction of a new state prison costing \$2,250,000, said certificates to be payable out of a fund produced by the levy and collection of taxes amounting to \$225,000 per year, following *Flecten v. Lamberton*, 69 Minn. 187, 72 N. W. 65, the court saying: "Counsel for plaintiff differentiates the *Lamberton* Case by the fact that no certificates of indebtedness were there authorized to be issued, and earnestly insists that this feature of the act under consideration renders it wholly void. We are unable to concur in this claim. The certificates in and of themselves create no indebtedness against the state. On the contrary, they are mere evidence of the holder's right to demand and receive from the State Treasurer the proceeds of the tax authorized by the act to be levied and collected, and known and classified as the "Prison Building Fund." Fairly construed, the act contemplates their payment from this fund exclusively, and they are not general obligations of the state. Whatever indebtedness, if any, was created by this act, is, within the *Lamberton* Case, found in the provisions thereof appropriating \$2,250,000 for the construction of the new prison and the levy of a tax extending over a period of nine years to produce the same, and not by the issuance of certificates indebtedness evidencing the

right of the holders thereof to the fund when collected. If the certificates could be construed as creating an indebtedness against the state payable from the general revenue fund, a different question would be presented. But they are not. They are to be issued in anticipation of funds provided for and appropriated, rightfully under the Lamberton Case, and are valid only as respects that fund when paid into the state treasury."

The majority intimate that but for the prior decision a different conclusion might be reached, but the act considered in the former case merely appropriated any surplus thereafter in the state treasury and the proceeds of an annual levy of two-tenths of a mill upon the assessed valuation of the state for not exceeding ten years to the purchase of a site and the erection of a capitol building at a cost of not exceeding \$2,000,000. It in no manner contemplated the creation of a debt nor authorized the revenues to be anticipated by the issuance of evidence of debt. It might have been repealed by any subsequent Legislature, but, of course, was the law of the state until repealed in authorizing the levy and collection of this like other taxes. This was pointed out by Lewis, J., in his dissenting opinion in the Brown Case, adding: "The majority hold that the Legislature may provide for the present capitalization of such future conditions by issuing certificates of indebtedness to draw interest to be sold to the public upon the assurance that the credit of the state is behind them, and that the money will be forthcoming when the certificates mature. By this arrangement the entire amount of the tax levy is anticipated, and the amount is available for present purposes. Thus the evidence of a present indebtedness is furnished which may be received with confidence in the commercial world."

The opinion in *Flecten v. Lamberton*, *supra*, does not disclose that the point now being considered was involved, and as the court in *Brown v. Ringdal*, *supra*, gave the question scant, if any, consideration, the latter decision is not persuasive authority. Moreover, in that state a debt in excess of the limit may be authorized by a two-thirds vote of the members of each House of the General Assembly, and whether the act for the construction of the prison was so passed does not appear.

California adopted a Constitution in 1849, article 7 of which provided that the "Legislature shall not in any manner create any debt or debts, liability or liabilities, which shall singly, or in the aggregate, with any previous debts or liabilities exceed the sum of three hundred thousand dollars." Then follows an exception in case of war, invasion, or insurrection, similar to section 4 of article 7 of our Constitution, and provisions for the creation of a debt exceeding that amount like section 5 of that article. In *People v. Pacheco*, 27 Cal. 175, the Supreme Court of that state, speaking

through Sawyer, J., held an act of the Legislature, in substance agreeing to pay the interest on \$1,500,000 of bonds issued by the Central Pacific Railway Company for a period of 20 years and directing that an annual tax of 8 cents on the \$1,000 taxable property of the state for that purpose, any deficiency to be paid from the general fund on hand and in consideration thereof, the company undertook to carry public messages, lunatics and convicts to and from asylums and prisons, materials for the construction of the state capitol, and munitions of war without other compensation. The preamble indicated it was a war measure and the court upheld it as such. But it also declared that, though the state was indebted beyond the constitutional limit, the act did create a "debt" within the meaning of the article a part of which we have quoted. In doing so, the court, after full consideration, concludes: "Here is a provision for raising a fund and setting apart and appropriating it to the payment of the interest on the bonds in question, more specific than those in the cases of *State v. McCauley*, 15 Cal. 429, *McCauley v. Brooks*, 16 Cal. 24, and *Koppikus v. State Capitol Commissioners*, 16 Cal. 249, because in those cases the payment was to be made, generally, out of 'moneys in the treasury not otherwise appropriated,' without providing any specific fund and devoting it to that use alone, or knowing whether or not there would in fact be any unappropriated moneys in the treasury at the time payments would fall due. In this case, a specific fund is provided and set apart, to be devoted to the payment of the interest in question alone; and it would seem to be more than ample for the purpose, as the tax provided for on a sum much less than the present assessed valuation of the taxable property in the state, would produce the required amount, and the appropriation from the general fund will not be required until the specific fund is exhausted, which may, and in all probability never will, occur. For these reasons there would be even less propriety in holding this appropriation to be a debt or liability, within the meaning of the constitutional restriction, than those which were the subjects of discussion in the cases cited. The Legislature has provided a fund, and made an appropriation for the entire amount. No further legislation is required upon the subject. Nothing further remains to be done on the part of the state, but the ministerial duty of collecting taxes and paying the interest out of the proceeds, as it from year to year accrues. Of course the state cannot, without a breach of good faith, refuse through its officers to perform this ministerial duty."

An examination of the earlier cases relied upon discloses that, while the contracts entered into extended beyond the time for which taxes were available, no liability was created in excess of which would be in the treasury to meet it. No attention was given the thought that the scheme was like that provided in the article for the creation of an indebtedness in excess of the amount limited.

The court appears to have relied largely on *State v. Medberry*, 7 Ohio St. 526; but there the decision was that the state might anticipate the revenues to be collected within the biennial period for which the General Assembly may authorize the levy and collection of taxes, and, as a clause in the Constitution forbade appropriations for more than two years, the act authorizing a contract extending over a period of five years was denounced as invalid.

For the reasons already stated, we are not inclined to follow the California decisions. To do so would defeat the manifest design of the people in adopting the section of the Constitution in limiting indebtedness the General Assembly may create. The salutary purpose was to prevent mortgaging the revenues of the state in the future, beyond a specified amount, and, if this is to be rendered, it is quite as essential to denounce a scheme to incur a debt for the payment of which provision is made by a scheme of taxation as a debt to the payment of which no thought has been given. In either event, the funds to meet the obligation must be raised by taxation, and, in either, it is certain to be paid.

The decision in *Swanson v. City of Ottumwa*, *supra*, then is not controlling, and, were the act to be construed as authorizing the issuance of certificates payable from taxes levied beyond the biennial period exceeding \$250,000, it would have to be denounced as inimical to section 2 of article 7 of the Constitution.

IV. The last four sections of the act then are valid, if they may be construed as authorizing the issuance of certificates in anticipation of taxes to be levied and collected in the biennial period during the period of such issue and for any deficiency beyond that to meet the expenses incurred in pursuance of the first eight sections not exceeding \$250,000. If, however, the act must be construed as conferring authority to issue certificates to cover such deficiency in excess of such amount, the last four sections must be denounced to be inimicable to the fundamental law. The test, as contended by plaintiffs, is not what has been or may be done under the act, but what is authorized to be done in pursuance thereof. As said in *City of Beatrice v. Wright*, 72 Neb. 689, 101 N. W. 1039: "The vital point to be determined is: What is authorized to be done? The constitutional validity of the law is to be tested, not by what possibly has been or may be done under it," but what can "be done under and by virtue of its provisions," and in the light of the Constitution. The members of the General Assembly which enacts and the Governor who approves, a statute have sworn quite as solemnly to support the Constitution as the members of this court and are to be assumed to have intended to conform their conduct with such obligation. If then two constructions are open and possible without doing violence to the language of the act, one upholding the act as not in violation of the Constitution and the other denouncing

it as inconsistent therewith, the courts should assume that the lawmakers intended the former and so construe the language thereof as to render it harmonious with the fundamental law. This is in accord with the rule that only when clearly and palpably in violation of some provision of the Constitution will a statute be denounced as inimicable thereto.

In *McCullough v. Virginia*, 172 U. S. 122, 19 Sup. Ct. 138, 43 L. Ed. 382, the principle is well stated: "It is elementary law that every statute is to be read in the light of the Constitution. However broad and general its language, it cannot be interpreted as extending beyond those matters which it was within the constitutional power of the Legislature to reach. It is the same rule which obtains in the interpretation of any private contract between individuals. That, whatever may be its words, it is always to be considered in the light of the statute, of the law then in force, of the circumstances and conditions of the parties. So, although general language was introduced into the statute of 1871, it is not to be read as reaching to matters in respect to which the Legislature had no constitutional power, but only as to those matters within its control and if there were, as it seems there were, certain special taxes and dues which under the existing provisions of the state Constitution could not be affected by legislative action, the statute is to be read as though it in terms excluded them from its operation."

Again, in *Chesapeake & Ohio Ry. Co. v. Kentucky*, 179 U. S. 388, 394, 21 Sup. Ct. 103, 45 L. Ed. 244: "Indeed, we are by no means satisfied that the Court of Appeals did not give the correct construction to this statute in limiting its operations to domestic commerce. It is scarcely courteous to impute to a Legislature the enactment of a law which it knew to be unconstitutional, and if it were settled that a separate coach law was unconstitutional, as applied to interstate commerce, the law applying on its face to all passengers should be limited to such as the Legislature were competent to deal with. The Court of Appeals has found such to be the intention of the General Assembly in this case, or, at least, that if such were not its intention, the law may be supported as applying alone to domestic commerce. In thus holding the act to be severable, it is laying down a principle of construction from which there is no appeal."

Reverting to the terms of the act, it will be noted that, from the capitol grounds and extension fund, the executive council may purchase the lands included in the plat "from time to time, within said period" (section 2) "on option or contracts or any other way which said council may deem expedient * * * at any time within said period of ten years" (section 4). When the several tracts are to be acquired for the state is entirely within the discretion of the executive council. "For the purpose of accom-

plishing the earliest possible completion of the work contemplated herein and the carrying out the plan provided for in this act, the executive council may anticipate the collection of the taxes here authorized, * * * may issue interest-bearing warrants or certificates" payable from the contemplated fund "each running not more than ten years." Section 9. The executive council may but is not bound to complete the work at the earliest moment. It may but is not bound to issue certificates. If it so elects, the entire ten years may be taken within which to acquire the land. Even if it should elect to purchase all of that included in the plat, not owned by the state, immediately the evidence is without dispute, that this can be accomplished from the funds available from the taxes to be levied and collected for the years 1913 and 1914 together with the proceeds of certificates not exceeding \$250,000 in amount. Surely then the act ought not to be construed as authorizing the creation of a "debt" in excess of the limitation contained in section 2 of article 7 of the Constitution. Even if this would not suffice, it is not to be assumed that the executive council would issue certificates exceeding such limit. Every act of the General Assembly is to be read in the light of the Constitution, and the limitations contained therein are as effective as though written into the legislative act. The judiciary is not the only department of government upon which the duty of observing and obeying the provisions of the Constitution devolves. Each of the other departments, legislative and executive, are under precisely the same obligation to know these and obey, and it ought not to be said that such obligation rests more lightly on the one than on the other. All are representatives of the people with different functions to perform, and though the courts are by the Constitution itself made the final arbitrators, in construing its terms and interpreting its meaning, it is never to be lost sight of that, until the contrary appears beyond reasonable doubt, the courts will proceed on the theory that the legislative and executive departments have obeyed its commands and will yield to its injunctions. With the wisdom or expediency of legislation, the courts as such have no concern. Their duty is to construe, apply, and interpret the law, not to enact it, and in so doing we conclude that, when construed in connection with the provisions of the Constitution, the act under consideration cannot be said to authorize the executive council to violate any of its provisions, and, in our opinion, the district court erred in construing any portion of the act as unconstitutional.

Reversed. All the Judges concur.

NOTABLE DEATHS

GEORGE W. CROSLY was born in New Haven, Ohio, March 4, 1839; he died at Webster City, Iowa, December 27, 1913. When he was four years of age his parents emigrated to Illinois where he grew to manhood. In 1856 they removed to Story county, Iowa, where he assisted his father in cultivating a farm now within the limits of Ames. Two years later he removed to Nevada where he remained until the outbreak of the Civil war. On May 21, 1861, he enlisted in Company E, Third Iowa Volunteer Infantry and served throughout the war, participating in many important engagements. He was promoted to Major of his regiment and was brevetted Colonel for meritorious service. At the close of the war he located in Webster City where he engaged in the mercantile business. He was postmaster during Grant's administration, and a commercial traveler for some time. In 1879 he was elected sheriff and by re-election served two terms. In 1884 he was appointed warden of the Iowa penitentiary at Ft. Madison and filled that position for six years. Returning to Webster City he served six years as member of the city council. In 1907 he began his work on the Roster Board which prepared the roster of all Iowa soldiers under the direction of the Thirty-second General Assembly. Colonel Crosley was appointed secretary of the Board and for more than four years spent practically all his time in that work, preparing the historical sketches and compiling and revising the records.

IRVIN ST. CLARE PEPPER was born in Davis county, Iowa, June 10, 1876; he died at Clinton, December 22, 1913. He was the youngest of a family of nine children and worked on his father's farm in summer and attended school in winter until he was seventeen years old, when he entered the Southern Iowa Normal School at Bloomfield, graduating therefrom in 1897. He taught rural schools for a few years and then became principal for three years of the Atalissa schools. In 1901 he became principal of the Washington school at Muscatine and served two years. In the summer of 1902 he began the study of law at the summer school of Drake University, Des Moines. In 1903 he went to Washington as secretary to Congressman Martin J. Wade, and in addition to his work as secretary he completed in the first year at the capital his first and second year law courses. The next year he took the senior course and graduated in 1905 from the Washington University with the degree of LL. B. He returned to Muscatine and became a member of the law firm of Carskaddan, Bruk and Pepper. He was nominated county attorney by the Democratic party in 1906, was elected, and served two terms. After a short, decisive campaign he was elected Representative in the Sixty-second Congress from the second Iowa district, and re-elected for a second term. Congressman Pepper was conspicuous in his defense of administration policies. He made great effort to better the condition of the militia and aid the Federal arsenal at Rock Island, and was always interested in the biological station and clam hatchery at Fairport. Probably the most conspicuous

honor that came to him during his service at Washington was his election as secretary of the Democratic Congressional Committee.

JOSEPH M. JUNKIN was born in Fairfield, Iowa, April 8, 1852; he died at Red Oak, October 11, 1913. He received his early education in the public schools of Fairfield and Red Oak and graduated from the law school of the State University of Iowa in 1879. Returning to Red Oak he became associated in the practice of law with Horace E. Deemer, and this partnership continued until 1887 when Mr. Deemer became district judge. After practicing some years alone, he formed a partnership with Mr. Ralph Pringle which lasted until his death. He was a Republican and was always active in politics. He was city attorney from 1880 to 1884. He was elected State Senator from the Mills-Montgomery district in 1896 and served through the Twenty-sixth, Twenty-sixth Extra, Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies. He was a member of the code revision committee during the extra session of 1897 and chairman of the committee on ways and means in the Twenty-eighth and Twenty-ninth General Assemblies.

SAMUEL A. ROBERTSON was born in Preble county, Ohio, December 23, 1835; he died at Des Moines, December 9, 1913. He was educated in the district schools of Preble county and later in the Dayton schools. At the age of fourteen years he was apprenticed as a bricklayer and served a three years' term. His first contract on his own responsibility was the erection of a roundhouse and shops for the Cleveland, Columbus & Cincinnati Railroad Company and the Indianapolis & Bellefontaine Railway, which was successfully carried out. He removed to Des Moines in 1856 and obtained employment on the old Savery, now the Kirkwood Hotel. This was the beginning of his work as contractor and builder in Des Moines which continued until his death. He was contractor for the remodeling of the postoffice and supplied part of the stone for the State capitol. In 1878 he became a member of the city council and was largely responsible for the extensive sewerage system of Des Moines. He opened and developed large quarries and lime kilns at Earlham and in 1890 organized the Des Moines Brick Manufacturing Company. He served for several years as president of the Iowa National Bank and as president of the Royal Union Life Insurance Company.

EDWIN BALDWIN STILLMAN was born in New Haven, Connecticut, October 4, 1837; he died at Riceville, Iowa, November 16, 1913. He attended for some years the academy at Nassau, New York, but was thrown on his own resources at the early age of fourteen years. He went west to Ohio, and after a month's apprenticeship to a blacksmith, gave up that work and in 1852 entered the office of the *Summit County Beacon* at Akron. In 1856 he removed with his employer to Iowa City, Iowa, and for two years worked on the *Iowa City Republican*. At the expiration of that time he again removed with his employer, this time to Des Moines, and for several years was foreman of the *Register* office and had charge of the State printing. In 1863 he founded the *Sioux City Journal* at Sioux City. In 1866 he removed to Chicago and established a job printing office, remaining there fifteen years. The great Chicago fire caused him serious losses. In 1880 he purchased a flouring mill at Waucoma,

Iowa, which he operated for four years. In 1884, he removed to Jefferson and purchased the *Jefferson Bee* which he conducted, first alone and afterward in partnership with his sons until a few years ago. The last years of his life have been spent in travel and well-earned rest. For almost thirty years he was a strong factor in the religious, social and political life of his community. The *Jefferson Bee* under his management gained high rank among weekly newspapers. As a stump speaker Mr. Stillman was earnest, forceful and logical and did much to mould the public opinion upon the political questions of his day.

CHARLES RUSH BENEDICT was born in Bedford county, Pennsylvania, October 27, 1853; he died at Shelby, Iowa, August 25, 1913. He received his early education in the schools of Fort Littleton and Berlin, Pennsylvania. In 1876 he removed to Iowa, settling in Shelby county in September of that year, becoming closely identified with the interests of that county. He was director in the Shelby Lumber Company and the Shelby Independent Telephone Company, a director of the Methodist hospital in Des Moines and a trustee of Simpson College at Indianola. Mr. Benedict was prominent in political affairs, serving as chairman of the Shelby county Republican central committee for a number of terms and being his party's candidate for representative and state senator at different times. In 1896 he went to Des Moines as private secretary to H. W. Byers, Speaker of the House of Representatives, and acted in that capacity for two sessions, in one of which the code was revised. In 1902 he was made Chief Clerk of the House of Representatives and was re-elected, serving for seven consecutive sessions, becoming known throughout the State and referred to as an authority on all points of parliamentary procedure.

CHARLES ALBERT CARPENTER was born in Louisa county, Iowa, January 12, 1864; he died at his home in Columbus Junction, October 5, 1913. His early education was received in the Louisa county rural schools and later at Columbus Junction and the academy at Iowa City. He graduated from the law department of the State University of Iowa in 1884 at twenty years of age and was admitted to the bar the next year. He served as city attorney and for three terms as mayor of Columbus Junction. He was elected to the State Senate before he was thirty years of age and represented Louisa and Muscatine counties in the Twenty-fifth, Twenty-sixth and Twenty-sixth Extra General Assemblies. In the Twenty-sixth General Assembly he was chairman of the committee on code revision which revised the code of 1873. In 1904 he was delegate to the Republican national convention which nominated President Roosevelt. In 1906 he allowed the use of his name as Republican candidate for congress but did nothing to promote his candidacy. In 1912 he took charge of the Progressive Republican campaign in his district and was an earnest supporter of Mr. Cummins and Mr. Kenyon in their candidacies for United States Senator. Mr. Carpenter ranked as one of the foremost lawyers and business men of southeastern Iowa.

CHESTER CICERO COLE was born in Oxford, Chenango county, New York, June 24, 1824; he died at Des Moines, October 4, 1913. He attended the public schools and academy at Oxford until thirteen years of age and then for five years acted as clerk in a store. He

read law in the office of Judge Balcom, entered Harvard Law School at the age of twenty-one and completed the course in 1848. He removed to Marion, Kentucky, was admitted to the bar of Crittenden county and during his stay of nine years gained a high reputation in criminal law. In 1857 he located in Des Moines where he maintained his residence until his death. In 1859 he was nominated by the Democratic convention for Associate Justice of the Supreme Court and in 1860 was nominated for Representative in Congress but was defeated by General Samuel R. Curtis. At the outbreak of the Civil war he allied himself with the Union men in support of the Government and left the Democratic party. He gave strong support to the candidacy of William M. Stone for governor on the Republican ticket. In March, 1864, in recognition of his labor in behalf of the Union, Governor Stone appointed him an Associate Justice of the Supreme Court. He was re-elected in October and served on the Supreme Bench for twelve years, acting as Chief Justice in 1870. The degree of LL. D. was conferred upon him by Iowa College at Grinnell in that year. In 1876 he resigned from the Bench to resume the practice of law. With Judge George G. Wright, his court associate, he organized the Iowa Law School at Des Moines, which, in 1868, was merged with the Law Department of the State University of Iowa, Judge Wright and Judge Cole remaining the law lecturers. Judge Cole continued this service for ten years. At the expiration of that service he founded the Iowa College of Law at Des Moines of which he became dean. It was associated with Drake University in 1881. In 1907 he received from the Carnegie Foundation an allowance of \$1,280.00 a year in recognition of his forty-two years service as a teacher of law. He retired from teaching at the age of eighty-three years and was made dean emeritus of Drake University. He continued this law practice until he was eighty-seven years of age.

THIRD SERIES.

VOL. XI, NO. 6

JULY, 1914

ANNALS OF IOWA.

A HISTORICAL QUARTERLY



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ANNALS OF IOWA.

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Charles Keyes

ANNALS OF IOWA.

VOL. XI, No. 6. DES MOINES, IOWA, JULY, 1914.

8D SERIES

FOUNDATION OF MODERN GEOLOGIC SCIENCE IN AMERICA.

BY CHARLES KEYES.

For permitting Iowa to furnish the foundation stones of modern science in the New World the Fates appear mainly responsible. Just a hundred years ago this work was accomplished. In several respects its bearings are more than state-wide. In the history of American geology it assumes national import and far-reaching influence. In the history of that science the circumstances surrounding the earliest discoveries within the limits of our State are worthy of special record and attention.

The scientific discoveries to which I allude were made in Iowa-land before Iowa was a State, before she was a territory, before she was hardly a part of the United States. It was in the earliest springtime of the last century, when our Nation was yet new, when the region was still remote and unknown, and when even the land itself was yet to receive its name.

For several reasons this pioneer scientific work is of exceptional historic interest. It was the first time that modern geological principles were successfully applied in this country. It was, up to the time, the boldest stroke at universal correlation of geological formations ever attempted by geologists. It was the first definite recognition of the two greatest geologic formations found on our continent. It was the first chronologic comparison of American Carbonic rocks with those of the typical locality in the Old World. It furnished the basis for all subsequent investigations of the mid-continental region. It gave rise to a host of perplexing problems many of which are still unsolved. Where else in all the

world have not the echoes of a century-long discussion long since died away? Singular is it that our Iowa should be the pivotal point.

When in England about a century ago, earth-study was made a modern science through William Smith's famous geologic discovery that the relative age and natural sequence of rock-layers were susceptible of accurate determination by means of the contained organic remains, America very early and from a wholly unexpected quarter furnished important aid in support of the newly-established principles. The circumstances were long since all but forgotten. In the few casual references made to them in later years either their importance was misunderstood or familiarity with the attendant conditions was entirely wanting. As the first successful application of modern geological principles in the New World the episode must ever remain of great historic interest.

Singularly, this primal American effort to correlate by their faunal contents geologic formations widely separated geographically, was not made in that portion of our continent which was most accessible and where it was most natural to expect it—that is, along the well-settled Atlantic border—but it was in the then remotest section of the Upper Mississippi valley. First fruits of research and observation were obtained in a region which was then perfect wilderness, but which now forms part of the great and populous State of Iowa. Moreover, these remarkable observations were made within a decade of the time when the novel method was originally announced in England. They antedated by fifteen years Samuel Morton's similar effort on the Tertiaries of our Atlantic coast, commonly regarded as the maiden attempt in America along these lines. By two decades they were in advance of the first work of that pioneer American paleontologist, Lardner Vanuxem. They anticipated by a full generation the famous investigations of Thomas Conrad and James Hall in New York. Indeed they were the means of actually and correctly interpreting the true position and biotic relations of the Carbonic rocks of the continental interior a

half century before their geologic age was otherwise generally admitted. The Mississippian limestones, as the rocks are now called, remain today as compact and as sharply delimited a sequence of geologic terranes as they appeared when first recognized in that memorable summer of the year 1809.

This successful use in America of faunal criteria for purposes of solving problems of geologic correlation and of identifying geological formations was the first real ray of modern light to penetrate the stratigraphic darkness shrouding the New World. The happy application of these criteria was due directly to the keen scientific perception and peculiar reasoning of one who was never known as a geologist at all, but who was raised to fame through a wholly different channel of scientific activity. This truly remarkable personage was Thomas Nuttall, botanist.

Nuttall's extensive travels in America were undertaken chiefly in the interests of his monumental works on North American plants and of his valuable contributions to American ornithology. On his first great trip, after traversing the southern shore of Lake Erie, and coasting by canoe Lakes Huron and Michigan, he entered Green bay, and, following to the West that famous all-water route which the Indians had used from time immemorial, ascended Fox river to the portage to the Wisconsin river, down which stream he floated to its mouth, near Prairie du Chien, thence down the Mississippi river to St. Louis. Subsequent trips took him far up the Missouri and Arkansas rivers.

On his Mississippi venture, besides garnering great quantities of interesting plants and taking voluminous notes on the birds, he appears to have made extensive collections of the fossils which he found along his path abundantly scattered through the limestones which in high cliffs bordered both sides of the great stream. In the course of his explanations of the geologic features of the region through which he passed, Nuttall naively notes that he is "fully satisfied that almost every fossil shell figured and described in the *Petri-facta Derbiensia* of Martin was to be found throughout the great calcareous platform of Secondary rocks exposed in the

eastern Mississippi valley." Thus by means of fossils he parallels these limestones of the Mississippi river with the Mountain limestone of the Pennine range, in Derbyshire, England, to which, several years later, Conybeare gave the title of Carboniferous.

Along the Mississippi river, as we now know, Nuttall really encountered little else than rocks of Early Carbonic age, so that his identifications of the fossils were doubtless, with very few exceptions, correct. Moreover, at this date and for some time afterward, the lower portions of the exposed stratigraphic sections, it must be remembered, were entirely undifferentiated, the great sequence of older beds which were subsequently separated from one another being jumbled together under the title of the Transition group. It was not until more than a quarter of a century later that out of them, in Britain, Murchison and Sedgwick established the Cambrian, Silurian and Devonian systems.

Another important geologic correlation is to be credited to Nuttall. On his journey up the Missouri river, in 1810, which he undertook with John Bradbury,¹ a Scotch naturalist, he reached the Mandan villages on the upper reaches of that stream. He makes especial mention of the Omaha village situated below the mouth of the Big Sioux river. A short distance upstream from the last-mentioned point he examined strata which, by means of their fossils presumably, he referred to the Chalk division of the Floetz, or Secondary rocks of northern France and southern England. This is the earliest definite recognition of beds of Cretacic age in America. It preceded by a decade and a half the separation by John Finch, of the newer Secondary rocks from the Tertiary section in the Atlantic states, and Lardner Vanuxem's and Samuel Morton's references of the same deposits to the Cretaceous age. Thus, also, was another great succession of one of our main geologic periods discovered in a then remote part of our continent years before it was recognized in the East.

¹*Travels in interior of America in 1809-1811*, London, 1817.

At the mouth of the Big Sioux river Nuttall fell in with an old trapper who described to him the great falls which blocked navigation at a distance of one hundred miles up that stream, and who told him of the famous Indian pipe-stone quarries beyond.

The analogy established by Nuttall between the general Carbonic section of Iowa and the Upper Mississippi valley and that of northern England was one of the important geologic discoveries in America. Its great significance was pointed out by Owen a couple of decades later. Its historical value grows with the advancing years. In the final recognition of a standard Carbonic section for this continent the sequence displayed in the Mississippi basin must prevail, since it is now generally conceded that the Appalachian succession of strata can never be considered as the typical development.

So conspicuously botanical in character are Nuttall's services to science that one can but wonder under what circumstances he could have obtained his keen insight into matters geological. Elias Durand said of him immediately after his death: "No other explorer of the botany of North America has personally made more discoveries; no writer on American plants, except perhaps Asa Gray, has described more new genera and species. Lists of his published memoirs and papers quite generally omit all reference to his recorded geological observations, probably because their importance would hardly be appreciated by writers in other fields of science. In the present connection our main interest centers on the transplanting so early to the interior of the American continent of William Smith's novel ideas concerning fossils. Brief reference to some of the early events in Nuttall's life seems to offer a clue.

Nuttall was born in Yorkshire, England, in the Mountain limestone belt and near the scene of Martin's labors on the Carbonic fossils of Derbyshire. He was early apprenticed to the printer's trade and after a few years removed to London. There he followed his trade until at the age of twenty-two years he set out for America, in 1808. He appears to have been a printer of the Benjamin Franklin order,

since while engaged at his trade he became proficient in the knowledge of the sciences, Greek and Latin and kindred subjects. During the period of six or seven years that he was in London he seems to have made the acquaintance of a number of the scientific men of the day. At least it is probable that at this time he acquired some familiarity with Smith's discoveries which were at that date attracting wide attention from English scientists. It is also quite possible that Nuttall gained much of his scientific information through setting up the types for those very memoirs which have since become geologic classics. It is not unlikely also that he even met Smith, since the latter is known to have been often in London at that time and to have taken up his permanent residence there several years before the printer-naturalist left his native country.

At any rate Nuttall had been in America scarcely a year before he was putting his geological knowledge to test. His familiarity with Martin's *Petrifacta Derbiensia* and Smith's principles clearly indicates that he must certainly have acquired his information at least several years previous. Then, too, his acquaintance with that pioneer American geologist, William McClure, for twenty years president of the American Philosophical Society at this period should not escape notice. Two other papers, partly geological in nature but chiefly mineralogical in character, on the rocks and minerals of Hoboken and of Sparta, New Jersey, and the many keen observations on the rocks recorded in his journal of a trip from Philadelphia to Pittsburg, attest his unusual intimacy with matters in geology.

Notwithstanding the fact that the brief memoir² which Thomas Nuttall published on Iowa-land and the contiguous regions was the only one which he seems ever to have printed on strictly geological subjects, so important are the principles set forth for the first time in this single, simple, short contribution to the literature of American terranal correlation that it places its author in the front rank among pioneer geologists, not only of Iowa, but of our country. Although

²*Observations on Geological Structure of Mississippi Valley*; Jour. Acad. Nat. Sci., Vol. II, pp. 14-52, Philadelphia, 1821.

one of the foremost botanists of his day and an ornithologist of world-wide reputation, his great service in first pointing out by method and by means the fundamental concepts of modern historical geology in America should not be forgotten.

REMOVAL OF THE POTTAWATTAMIES.

The following account of the gathering of the Pottawatamy tribe of Indians for removal furnishes an interesting picture of frontier scenes. It is from the Logansport, Ia., Telegraph of the 15th ultimo:

A small military force left Logansport on Wednesday, the 29th August, and having been reinforced on the route, reached the Indian chapel on Twin Lakes, in Marshall county, about 11 o'clock on Thursday. Here the principal chiefs with several other Indians were found and surrounded to prevent their escape. General Tipton then held a council with those present, and four chiefs appearing somewhat refractory, were taken and placed under guard in one of the rooms of the building which had been occupied as a chapel. The Indians present were then told that they must prepare to emigrate—that in three days they must be ready to go West; that they need not hope to remain on the lands which they occupied, for they would be compelled to leave them. They were further told that wagons would be provided to convey their furniture and utensils into camp, to be carried for them to their homes in the West; that their cornfields should be appraised by disinterested persons, and that they (the Indians) should receive the amount of their valuation; that the Government would furnish them with provisions and clothing and farming utensils for the term of one year from and after their arrival upon the lands assigned to them beyond the Mississippi; that they would not again be compelled to remove and that the Government would protect them in their new homes.

Parties of dragoons were then dispatched in different directions with orders to bring the various bands of Indians into camp. The dragoons were also ordered to treat the Indians kindly, to preserve their moveable property and to burn their wigwams. * * *

The encampment occupied a space about one hundred yards square upon the banks of the Twin Lakes. This area was almost completely filled with Indian tents, ponies, pigs, public officers, dogs, cats, sentinels, wagons, &c. Throughout the whole proceedings great decision, energy and activity were displayed, accompanied by very little if any cruelty—that is, viewing the whole as a matter of settled national policy.—Albany, N. Y.—*The Jeffersonian*, Nov. 10, 1838.

SOME ADDITIONAL MATERIALS ON THE SPIRIT LAKE MASSACRE.

[When the memorial tablet in the Hamilton county courthouse and the monument at Lake Okoboji were respectively erected, materials upon the Spirit Lake massacre and on the various attendant features were extensively published. From time to time thereafter we have received materials adding somewhat to the record. We herewith present contributions on three phases of the subject.

The first is a paper prepared by Prof. O. C. Howe at the time of the dedication of the monument. Professor Howe was one of the party of four who discovered the victims and carried the report back to Fort Dodge.

The second is a communication from Mr. R. A. Smith of the relief expedition, who explains the division of the party in the face of a hazard from which Captain Johnson and Mr. Burkholder lost their lives.

The third is a memorandum of the founder of the Historical Department upon his labors in connection with the commemoration of the service of Hamilton County men on the relief expedition, rather more frankly told than as published in the ANNALS during his life.—EDITOR.]

THE DISCOVERY OF THE SPIRIT LAKE MASSACRE.

BY ORLANDO C. HOWE.

. On the 15th¹ day of March, 1857, our party, consisting of Robert Wheelock, B. F. Parmenter, C. Snyder and O. C. Howe, after a tedious trip of more than three weeks, came in sight of the beautiful lakes in Dickinson County, Iowa. We had been exposed to the storms of that terrible winter and apparently had reached the promised land. The weather in the afternoon had softened, the clouds vanished for a time, and the shining sun over these groves seemed like a welcome. Our point of view was from the highlands east of the southern point of the Okoboji groves.

Mr. Wheelock and I had been at the lakes in the preceding fall for a week or more, leaving on the last day of November, 1856. While there, we stayed at the cabin of Joel Howe and selected for a town site a tract near the southwesterly shore

¹Mr. Smith's article following gives the date as the 16th, and that date corresponds with Mr. Howe's account of each day's happenings until they reached Ft. Dodge.—Ed.

INCIDENTAL HISTORY OF THE HEROIC VOLUNTEERS FROM HAMILTON COUNTY IN THE SPIRIT LAKE EXPEDITION, 1899, AS TOLD BY FREDERICK WILLIAMS OF FORT DODGE AND THE BATTLE OF THE SETTLES AND A BATTLE OF THE FORTS, BY WILLIAM C. WEBSTER.

ROSTER OF COMPANY C

OFFICERS

CAPTAIN
FIRST LIEUTENANT
SECOND
SERGEANT
CORPORAL

J. C. JOHNSON
JOHN R. MAXWELL
FRANK R. MASON
HARRIS HOOVER
A. HATHAWAY

PRIVATE

JOHN R. MAXWELL
JOHN R. MAXWELL
JOHN R. MAXWELL
JOHN R. MAXWELL
JOHN R. MAXWELL
JOHN R. MAXWELL
JOHN R. MAXWELL
JOHN R. MAXWELL
JOHN R. MAXWELL
JOHN R. MAXWELL

H. H. HOOVER
J. H. HOOVER
J. H. HOOVER
J. H. HOOVER
J. H. HOOVER
J. H. HOOVER
J. H. HOOVER
J. H. HOOVER
J. H. HOOVER
J. H. HOOVER

HENRY E. DALLEY
JOHN E. DALLEY
ELIAS D. KELLOGG
THOMAS S. HERRING
JOSIAH G. GRIFFIN
FRED W. GATES
THOMAS ANDERSON
FREDERICK CONLAN
JOHN DRABMAN

THESE TABLETS, ERECTED AT THE PUBLIC EXPENSE, TO COMMEMORATE THE PATRIOTIC VALOR AND SUFFERINGS OF THESE HALLAM VETERANS, WERE SET BY THE CITY OF HAMILTON, IOWA, IN 1909, AND ARE NOW IN THE POSSESSION OF THE HAMILTON COUNTY HISTORICAL SOCIETY, FORT DODGE, IOWA.

Memorial Tablet to Company C, Spirit Lake Expedition, in Hamilton County Courthouse, Webster City, Iowa.

of Spirit Lake and extending south nearly to the present town of Spirit Lake. We examined the country adjacent, and easily found a sufficient number of claims for a large settlement. While we were there, two Indians came to Mr. Howe's cabin, one of them morose and silent, while the other, being able to talk English and very friendly, was very playful with the children.

Two days before we left, wishing to know more about the outlines of Spirit Lake, I started in the afternoon to go around the lake on horseback and visit the camp where the Indian said there were about a hundred of his people. I intended, if they wished it, to stay over night, but if they acted so as to give rise to suspicion of their honesty, to go around to Mr. Marble's cabin, the only one then on that lake. On arriving at the camp, my acquaintance of the day before greeted me kindly and I had, by his interpretation, a little talk with his people and was urged to stay in their camp. They pointed out the fact that the snow was falling lightly, admired my horse, as well as myself, and it seemed best for me to make the acquaintance of Mr. Marble even at the risk of staying over night alone in the grove. I was satisfied that my Indian friends had exaggerated their number.

I went on my way, and about eleven o'clock found the cabin and called to Mr. Marble. He sprang out of bed, and hastily insisted that I should come in and stay with them. He said his wife was suspicious of the Indians, which rather amused us. Before I had fallen asleep, other comers were at the door, and we found that two Indians wanted their supper. We gave them supper, and they wanted to stay that night, but Mrs. Marble objected. One of them was a bleared-eyed Indian, and his advanced age was security for his peacefulness. Mr. Marble and myself did not like their manner, and especially the way they went out to examine my horse.

When Wheelock and I left the lakes, we expected to return before January and help prepare for my family which would come early in the spring, for we had not at that time even a suspicion of danger. By reason of the storms of that winter,

our team was the last, so far as we had learned, that left the lakes till after our return.

Our description of the country had induced Messrs. Parmenter and Snyder to join in our enterprise, and now when the whole basin of the lakes appeared before us, they said we had not in any way exaggerated their beauty. Wheelock and I instantly recognized the situation of Howe's house and also Thatcher's.

Our party had, however, received warning that ought to have been heeded. Before we reached the Boone river, Mr. Hewett Ross informed us that there had been trouble in Clay county from Indians, but he had no definite knowledge as to what had occurred. But two old frontiersmen, Messrs. Lane and Ray, had reported in the fall, that there was danger in that county, had left, and were now near Fort Dodge. At Fort Dodge, Major Williams told us more about it, and said there was some danger of trouble. He advised us not to go to the lakes. Three or four miles above Fort Dodge a Mr. Ray met us and inquired where we were going, and being told, he advised us not to go farther, as he was sure there had been trouble in Clay county, and that Spirit Lake was in great danger.

But we obstinately pressed on our way, hearing no news from the lakes till we reached Mr. Carter's on the west fork of the Des Moines river. Mr. Carter informed us that he did not think there was any danger from Indians, but that Inkapaduta was probably in the vicinity and was thought to be one of the bad ones. He told us that one of that band, about sixteen years old, had lived with him a year, and had by some Indian ceremony become a brother of his son who was about the same age. Both Carter and this son were sure that they would be told by this Indian brother of any attack intended to be made on the whites. Mr. Carter had also heard from Clay county later than the other rumor had given as the time of the troubles there. He did not believe there was danger of trouble at the lakes. There had been some dispute between some of the settlers from Minnesota and those from Iowa on account of claims, and it was ru-

mored that very serious threats had been made, and in his opinion there was more danger from a quarrel between the whites than there was from the Indians.

We learned there also, that a son and son-in-law of Mr. Howe had heard there was danger of the starvation of the people at the lakes, and that they, with hand sleds, had taken provisions across the prairie from north of us. Another man some time in the winter had attempted to go with a team, but could not take any load, and had left his team and load somewhere on the river, returning on foot.

After leaving Fort Dodge, we found no one had been more than twelve miles with a team since we had left in the fall. When we came to where there was no broken path or track, we found it much quicker traveling with our ox teams than with horses. We were compelled by the blizzards to remain at Carter's several days, and from what we had heard of the danger of starvation, we concluded to leave our horses and one load and to take about a ton of provisions on a sleigh, and with two hand sleds and the oxen to start on. Where the snow was soft we were compelled to draw the provisions on our hand sleds to where it was harder, and then driving the oxen in the track we had made, bring up the sleigh that held our load.

When going down in the fall, we had made an arrangement with a Doctor Bidwell to stop at his log house, which he had just put up. He sold us hay that he had in a stack, and on our return trip we were to stay there as long as we wished. After talking with Carter about the best point to leave the river to go to the lakes, we mentioned the arrangement we had made with Bidwell, and he thought that would be the best place for us to leave all the old trails, and strike for the point we wished to reach at the lakes.

We stopped at Bidwell's cabin to recruit ourselves, (two of us being sick) and to rest our oxen. We heard from a Mr. Reed who lived about two miles from there, that the two men who had left the river on foot, to take provisions to their relatives on hand sleds, had not been heard from for ten days, and it was feared that they had starved. This

made it necessary for renewed exertion so we started. After two days of hard work and two sleepless nights, we drew near the end of our journey, carrying relief to the starving. Many have felt the joy of saving human life, and no others could have understood our feelings at that time. We shouted, we cheered, we sang, and hurried on, but there was a foreboding and uncertainty which we could hardly understand that soon checked our rejoicing. We feared we were too late and might find them starved, so our efforts were increased.

It soon was apparent that night would overtake us before the end of our journey. Our oxen were tired and could go no faster, and we concluded to leave them at some place near the first timber and with a hand sled load of provisions strike for Howe's house, hoping to be able to carry enough provisions for that part of the settlement for one night at least. After seeing the house, and leaving the team with feed for the night, we traveled some miles and could have been seen by any one anywhere near several of the houses in the settlement. We took with us our only fire arm, a rifle, and soon came in sight of other houses, and proceeded, if possible, faster than before. Mr. Parmenter noticed that while for many days from every house in sight, some one had come to meet us, having seen no one from abroad since winter set in, none here appeared to welcome us. We said little, but that foreboding of trouble and also danger to ourselves was one that cannot be described.

As we hurried nearer a dog was seen, but it soon ran howling into the woods, and in a short time we silently reached a silent house. The beds and clothing were in confusion on the floor and no living being in sight. There was no time for consideration. Immediate action was necessary. Wheelock and I started for Thatcher's place over a mile distant. Parmenter handed us the rifle and said that he and Snyder would make things ready for a fire and wait for our return. On taking the rifle the hammer was found to be broken off and so we had no fire arms whatever.

Wheelock and I each took a hatchet and a large knife and started out. It was after sunset and the sign of the blizzard

began to cover the sky. There was a beaten track in the snow where there had been travel between the two houses. However, only a few persons had left a track over it for two or three days as there had been a recent snow. A recent moccasin track at last came into view and Wheelock said that it was probably made by Howe who was wearing moccasins in the fall. As we approached nearer Thatcher's we passed the body of an ox recently killed; a small part of the meat was taken away, also a sinew such as the Sioux Indians then used for bow strings.

Upon our arrival at Thatcher's place we saw confusion similar to that at Howe's. Feather beds and pillows had been ripped open and the feathers scattered over the snow. Wheelock said, "That is an Indian habit and everybody here has been killed by the Indians. We will not go into the house, for we know what we shall find there." I said, "We must learn all we can." I then went up to the door and piles of clothing scattered in confusion and the dead bodies of two men met my eyes.

We immediately returned in haste to our party. Parmenter met us and related that he had found a corpse in Howe's house and said that he believed all the inhabitants of the settlement had starved. We told him that there was more than one corpse, and described the situation at Thatcher's, stating that we did not believe there was a single white person alive in the settlement.

By this time the threatened blizzard was upon us. We carried in some wood which had been cut, and agreed that the first thing to do was to have supper, as all of our strength and reason were needed. In addition to some coffee and meat we had prepared, we baked some cakes and ate what we could, with little or no talking but much thinking. We found chairs and seats enough for all four, and sat closely around the stove, while the remainder of the floor was nearly covered by clothes lying in heaps. The body they had seen was near the farther end of the cabin. While eating, I noticed a foot nearly under my chair and drew Snyder's attention to it. He was next to me. He looked up, startled, but was instantly composed.

As soon as we had finished our supper, Snyder said, "Now is the time for a council of war." The storm was howling outside, and at first thought it seemed that all hope had vanished. But as we could again reason calmly, we determined that if it were possible we would be unanimous in our decision as to what we should do. It was suggested that we might examine the bodies already discovered, and the heaps in the room, and arrive at a conclusion as to the means of death. After some consideration we concluded that the storm would make it impossible to go to the other settlements in the night, and that there was great danger of ourselves being murdered by the Indians, so we decided to postpone the examination of the bodies and make ready to start for somewhere as soon as we were able to see.

It was later suggested that if we found the people had been murdered by the Indians, we should attempt to warn the colony on the Des Moines river; if we found they had starved, we would go with provisions to all the houses about the lake. We, therefore, prepared our sled and put on it the provisions we had brought from the sleigh, except a portion left for any unfortunate wanderer that might chance to come that way. Wheelock and Snyder stood at the door, while I examined the bodies and noticed the wounds and Parmenter made pencil memoranda. The first was an unknown man twenty-five or thirty years of age, supposed by us to be the son of Joel Howe. He had been killed by a gun shot under the chin, which came out at the top of his head. The next one examined was Sardis Howe, a young woman eighteen years of age, who had been hired by me in the fall to do housework as soon as I came back with my family. She was shot through the breast. Mrs. Howe was under the bed with her skull crushed. Alfred Howe, about fifteen years old and Philetus Howe, about thirteen years old, were shot. The latter had in his hand a piece of iron with which he had made resistance. We did not find Mr. Joel Howe nor a son of his that was missing. Several of the persons had been tortured and horribly mangled.

By this time, no doubt remained but that there had been an Indian massacre. Our long night's discussion, as we thought, had prepared us to use our reason, yet it was hard to control our anger and awful thirst for revenge. Wheelock proposed that we take our knives and hatchets, hunt up the murderers, pretend to surrender, and then each one do his best to kill one of them and thus have the satisfaction of doing them justice; as we supposed we were about to die anyway, we might so enrage them as to compel them to kill us without torture. Snyder said that as there was not more than one chance in a thousand of saving our lives by going away, he too would try to avoid torture. I admitted that there was no apparent chance of either Parmenter or myself, in that storm, having the strength to reach the Colony on the river, but suggested that it would be folly to resign ourselves to death without an effort to save the people there. Parmenter agreed, and said that even if there was but one chance in ten thousand, we would die in discharge of a plain duty. All agreeing, we started to return to our team.

We followed the track near the edge of the timber. The storm increased as time passed, occasionally being so dense that we could see but a few yards ahead of us. On the preceding night, Snyder had taken the point of compass from a hill in sight of our oxen, and of the point where Howe's house was, and so we carried the compass to guide us. About a mile from the house, in a lull of the wind, we found that our track ten paces back of us was entirely filled with snow. Advancing about one hundred yards, we found a plain moccasin track pointing in the direction of a settlement on the river north of the Colony. We waited a moment to account for it, but the storm burst again and filled that track. We passed on convinced by this evidence, that the Indians, as was always their custom, were watching and in all probability had seen us as we were coming in with our team.

By following the compass we soon reached the sled, took off the wagon bed, put most of our load in it, left a few light boards, and took with us a sack of flour, some sugar and coffee, sufficient to sustain us a few days, also a bunch of hay,

some axes, hatchets and knives, blankets and other bedding and started with the cattle eastward to reach the river settlement. We talked little, and endeavored to save all our strength.

At one of our many necessary rests we talked about that moccasin track, and decided that it must have been made by a runner sent by the Indians to some other Indian camp on the lakes east of the Des Moines river, but upon reflection thought probably, since the track was made by a moccasin smaller than the average that it was the Indian, Joe, going to warn his adopted brother, Carter. Subsequent events, however, convinced us that he was a messenger to another band and raised a strong suspicion that Joe had been sent as a spy, to live with the whites, and was yet acting as such.

We knew that some fuel or shelter from the timber would be necessary to enable us to live through the night, so we started in a direction a little north of a grove that was on the north of us while on our way to the lakes, but after consultation concluded that we would not change our course, but go in the same direction until opposite the timber, and then turn south so as to reach it.

As we traveled, the weather grew colder, and the gusts stronger, but with almost a calm at times. At last we caught sight of the grove and carried out our plan. We went so as to approach it from the south, and at about four o'clock in the afternoon were at its edge. We tried to go in, but found it was impossible on account of the depth and softness of the snow, and we were compelled to camp at the edge. There were many scattered trees about our camp that could be used for fuel, and soon we were hard at work in preparation for the night. It had ceased snowing and the wind lessened. The sun was shining for an hour or more before sunset which cheered us much.

Several of the large oaks were soon felled and the branches made a good windbreak with our sleds turned sideways against them. The bodies of the large trees being placed where the snow was of little depth, we soon had a bright fire built. After sunset the storm came on with renewed strength

and the cold increased till nearly daybreak. It required all our efforts to keep from freezing. Wheelock and Snyder continued chopping until late in the night, while the others brought the wood to the fire. Several years after this, a person coming to the lakes inquired what settler was fool enough to take a claim in that grove and do nothing but cut down and burn up so large an amount of timber. He could not believe it, when he was told that all the chopping was done by two men in one night.

When sufficient fuel was brought, we ate some of our provisions and used an incredible amount of coffee and sugar. Then we began to talk of our chances and form plans. We called this "a council of war." Our talk now as on the previous night was not wholly solemn and depressing, but occasional touches of humor enlivened us and at times brought a genuine laugh. But we were conscious that our danger was still great, and the others claimed playfully that Parmenter and I were too sick to live if we had to walk to the Colony, and so ought have no right to vote in the council. All of us agreed that there was nothing to do but start for the river, and so there was nothing further for the council to decide.

At about four o'clock in the morning the wind ceased and the stars came out and we were soon ready to move on. But the cold was intense. At the first break of day we started and when the sun arose the grove was quite a distance behind us. We all walked so that our teams would not tire till we could reach the river bottom where the snow would be so soft they could not travel with the sleigh.

It was to us a long day. The sun shown so brightly upon the snow that it nearly blinded Snyder and myself, and Wheelock was also affected by it. By noon talking ceased and some one would be continually straggling along and the others would call him back. We had for nearly a month worked harder than ever before, and having been without sleep many nights while on the journey, we were almost completely exhausted. At one time I wandered and soon lost consciousness of things around me. Visions and thoughts beyond material objects, such as cause vague theories and are elements

of much superstition were before me. I saw myself on the snow, either dead or perishing and heard my wife and her sister, Mrs. Parmenter, trying to learn where they could find the body. I heard long conversations; then hearing my name called, I answered "What is the matter?" and rose from the snow but no one was in sight. My recollection soon returned and Wheelock came over a hill calling to me and I was then fully awakened. My dream went through many hours, but it was only while they were traveling less than fifty yards. They had passed over a knoll and Snyder sat down on the sled and fell asleep, and while picking him up Wheelock noticed my absence and hunted me up.

As soon as we started again I proposed that as all of us had had a turn at wandering, one of us be placed on the sleigh and sleep five minutes while all the others walked. I took the first ride and was instantly asleep, and being awakened, was surprised that I had slept only ten minutes. They had doubled the time agreed upon, when they decided it was not cold enough to freeze us. It was not long until each had taken his turn at sleeping several times, from which came so much refreshment and strength as to enable us to be sure of reaching the river safely, and was, I believe, the only thing that could have sustained us.

As the day wore away we were anxious to see the timber, and toward night Parmenter saw it plainly. A few minutes afterwards Snyder could distinguish it. The others were too nearly snow-blind to see any distance. They told us that the timber was a long way off, but we felt strong and thought we could afford to hurry. After several miles, Wheelock was also able to see the timber. Snyder and Parmenter had no knowledge of that part of the river, and we had been anxious to know whether or not we were traveling in the right direction. Wheelock, at first, could not recognize it, for it appeared like two little lines some distance apart. The others said they had noticed that from the first, and we were discouraged again.

Just before sunset we passed over a ridge and my eyesight returned and I could distinctly see the two lines of timber.

Very soon I recollected Medium Lake beyond the river and I knew we were going just right. Wheelock then could see that we were going in the right direction, and we struck toward the timber, traveled by the compass, came to the river bottom after sunset, and the twilight gave us light enough to enable us to see the timber which we estimated to be from two to four miles distant. The snow was not hard enough to bear the oxen, and we left the cattle and sleigh with half a sack of flour for feed for them. The snow bearing us up, we traveled faster than at any previous time on the journey, and in fact, too fast, for after going farther than our estimate of four miles no timber was yet in sight, and we were nearly exhausted. We could often see lights, and hear all manner of sounds, but the others would insist that they were mere fancies. We found these frequent disappointments were weakening, and concluded that we would not talk of anything we saw or heard until we were sure it was real.

We traveled silently a mile or two more, as we estimated it, when Parmenter gave a start and looked keenly a little to the right of our course where I had just imagined I had seen a light. Immediately a shower of sparks as from a chimney was seen by all of us and we were strong again. In a few minutes we found a track in the snow where it was soft, plainly made since the blizzard had subsided, and by the aid of matches found that it was the track of one man going in our direction. The barking of a dog was distinctly heard, and in our joy we talked so loudly as to apparently awaken every dog in the settlement. We soon struck the river, and following down it on the ice we came to a trodden path where cattle went down to drink, thence by a good road we reached the foot of the bluff.

Still talking among ourselves we heard the voices of several persons, and stupidly hurrying up the hill, we heard the click of guns and the sharp cry, "Stop and answer or we will fire." Recognizing the voice, I called out, "Jim Hicky, is that you?" He instantly shouted to his companions, "It is the boys from the lake, Howe and Wheelock! call Thatcher!" In a moment Thatcher was before us and so haggard that we did not know

him. He took my hand and tried to speak, but at first could not say a word. I soon recognized him and told him that there were two dead bodies at his house, both men, and I believed that there was no woman killed there.

The people of the Colony received us as from the dead, and nothing they could do for us was left undone, but we took no time for anything else till we learned what they knew of the massacre. This was quickly told. Morris Markham had gone from near Springfield in Minnesota to the lakes about fifteen miles from there, and had found nearly all of Gardner's family murdered. He went to Mattock's house and found it was burned and the people there and at Granger's were dead. The Indians were camped near the ashes of the burnt house, and he, in a dazed condition went almost into their camp. He escaped as by a miracle and reached the river settlements before we left Doctor Bidwell's cabin when going to the lake. His interesting account of the danger and suffering has several times been published.

The men in the Colony, having heard that we were at Bidwell's, sent a man to warn us of the massacre, but a few miles from Bidwell's he learned we had already left. We were seen while taking our oxen and sleigh a few miles on the way, but we returned to the cabin that night to sleep there, and in the morning took our hand sleds, with blankets and utensils, to the teams. The people at Springfield had heard Markham's story, and sent two men to go on foot to Fort Ridgely for United States soldiers, and the settlers there were collecting in the best houses for defense. We learned also that another band of Indians was at the lakes in Emmet County, east of the river. A man had started from some point above the Colony to carry the news to Fort Dodge, but it was said that he was not strong enough to walk half way. There it was also rumored that the Indians had sent word to Springfield that they were going to kill the people in ten days, as they could not get away through the snow. We heard all these accounts and various rumors in less than an hour after reaching the river, and soon concluded what we would do.

As soon as we had eaten supper, but late in the night, we went to bed and slept soundly until morning, an hour before sunrise, the time that we had asked them to awaken us. Parmenter was not able to sit or stand. Wheelock and Snyder were tired out, and my feet were so swollen that no boots were large enough, and I could not walk like a sober man. While eating breakfast we heard further news from men who came to learn what we had seen. One man had seen an Indian crossing the river above the Colony, and his trail went toward the camp on the Emmet county lake. An Indian had told the Springfield people that Henry, one of the messengers sent for help from Fort Ridgley, had been killed by the Indians from Spirit Lake. It was also rumored that the man who started for Fort Dodge had become crazy. We saw that the people at the Colony hoped some of our party would go to Fort Dodge for help, as they had not enough guns to arm the settlers, and we could be of little use. Markham was so badly frozen that he could not go, and they thought that his account of the massacre had made Thatcher crazy, and he, Thatcher, had been forcibly prevented from going to the lakes alone, while the Indians were known to be still there. But he appeared rational in the morning, and had concluded that his wife was a prisoner and his work was to rescue her. He talked but little, and it was plainly seen that an intense, but not strange thirst for vengeance controlled him.

Before noon my feet were lessening in size, and we concluded that Parmenter could remain and be of some use, even though disabled, and the others would start the next morning. We proposed to be ready at the first glimmer of daylight, and travel rapidly till the surface of the snow softened, then rest, and eat whether hungry or not. This being settled we began our sleep at sunset, and Parmenter waked us at ten o'clock in the evening for supper, and at one hour before daylight for breakfast. We began the trip ahead of time as there was a track for a few miles and we needed no light. The snow was hard enough to bear our weight till late in the afternoon when we took a rest and dinner, and then went to Evans' house before dark.

The next morning daybreak found us on the way, and we traveled with good speed for a time, but the snow softened much earlier than the day before and we soon became tired. We hoped to reach Dakota before night, and from there, teams were traveling on the river ice to Fort Dodge. Mr. Carpenter was near the river above Evans', and hearing of us, sent word that we could get a team at Dakota. We did not arrive in sight of that town as soon as we expected, and fatigue from walking in the deep snow discouraged us. When nearly there, Snyder became so tired that he suddenly fell to the ground. We insisted upon waiting for him to rest, but he urged us to go on and send some one back from town to help him. After waiting for him nearly an hour and half, he still urging us to go on, we slowly proceeded. In a short time Wheelock and I sat down in the snow as though exhausted and Snyder soon got up and came up to us. We rested a few moments more and went on.

When near Dakota, two men met us, and being told of our errand, went with us to the town. Here we met what seems the necessary sequence of an Indian outrage, that is, total stupid unbelief. The men who met us gave us the names of two or three persons who had teams, but it might be difficult to hire one as there were many holes in the ice. They spoke also of a crazy man, while up the river, having been badly frightened by the reports he had heard. These men, however, did not appear to disbelieve us, and when we came to the hotel several came to hear the rumors, and one of them soon found the owner of a good team, but he would not come to see us. Some of the doubters were willing to investigate the account, but a few were incorrigible. Snyder and Wheelock sharply answered some of the most insulting men, and were soon in a wordy conflict. While they were talking, some of the persons there said there was one man who would certainly let us have his team if he were only able to drive it, but he said that this man did not like to have any one else drive his team, and that he, himself, was lame, having recently broken his leg.

One of the unbelievers gave me quite an examination for a minute or two, but in such a pompous manner that I was more amused than angry, and he was briefly answered but not satisfactorily. He spoke of another crazy set trying to get up a scare, and began talking of the rumors some weeks previous and said there was no sense in them and none but a fool would believe them. I told him I heard of those rumors on my way to the lakes and knew what Major Williams and Lane and Ray thought about them, but still I went there. Then looking as pleasant as possible, I told him that I believed that he was now as much a fool as I was then, but was being cured in one minute, and if he would volunteer to go back with us, we would warrant him a quick and perfect cure. He only said that he was not fool enough to risk a team with us, but if any one was willing he did not care.

I had seen a man come into the room on crutches, and as soon as this debate was ended, he asked if I wanted a team to go to Fort Dodge that night. I told him we were going if we had to do it on foot, but hoped we would get a team and asked if we could hire one of him. He asked my name and inquired if I knew a man in Jasper county named Reid. I then recognized him, and shaking hands, asked if I could have his mules. He said that no one should drive them but himself, but that he would take us there in an hour and a half, and that the team would be at the door in fifteen minutes. In less than that time he had us in a sleigh and before the end of an hour and a half we were in Fort Dodge.

Without any loss of time we found Major Williams who asked us how it was at the lakes. I told him all that he told us would probably happen had taken place, and about the people being murdered, and that help was badly needed in the vicinity. Major Williams went with us to a Methodist Church and spoke to the clergyman who was preaching, and without hesitation the minister told his congregation that the Spirit Lake settlement had been destroyed by the Indians, and immediate help was needed. He asked all able-bodied men to remain, and dismissed his congregation. A very short statement of the facts was made and volunteers called for. A

man from Webster City said a company could be raised if one of our party would go with him. Wheelock went and they began recruiting about midnight. In the afternoon of the third day, more than one hundred men were enrolled, organized, provisioned, armed and equipped, and left Fort Dodge for the settlement. Without preparation, without question as to the authority of their officer, without any call from the officials of State or nation, these noble men took their guns and went out to perform a duty incumbent upon them as men, as citizens, and under a higher obligation to the Lord of hosts.

A RISK THAT COST TWO LIVES.

BY R. A. SMITH.

There are some incidents and circumstances connected with the Spirit Lake Expedition which, so far as I know, have never been printed, and which, while not as dramatic as those heretofore related, are equally as essential to a proper understanding of the events therein described. Mr. Duncombe, in his paper,¹ says that information of the destruction of the settlements around Spirit Lake was brought to Fort Dodge by O. C. Howe, afterwards law professor in our State University and a companion, R. U. Wheelock; also another gentleman whose name he thinks was Parmenter.

The party above mentioned, together with a man by the name of Snyder who had visited the lakes the fall before and determined to settle there, had gone up on the west side of the river with supplies, arriving there on the night of the 16th of March. Before reaching the lakes they lost their course. Night coming on and with it a storm when they were three or four miles out, they were obliged to abandon their wagon and supplies. They took off their wagon box with its load, and left it at the edge of a slough, then pushed on with their team.

They reached the settlement about midnight, and found everything in confusion and apparently deserted. They went into camp until daylight, when they made such an investiga-

¹ANNALS OF IOWA, 3d ser., v. III, p. 495.

tion of matters as they were able. Then, for the first time, the fact became apparent that the entire settlement had been wiped out by a horrible Indian massacre. The party at once started for Fort Dodge, leaving their supplies where they had abandoned them on the prairies.

They arrived at Fort Dodge on the 21st of March, as stated by Mr. Duncombe, and I have nothing to add to the published accounts of the march to the lakes. Lieutenant Maxwell and Mr. Laughlin are the only men who assisted in burying the dead, and they have written out their recollections of what took place at that time. All other accounts are hearsay. Their accounts are correct so far as they go, yet they omit some things that are essential to a full understanding of all of the details of that event.

On the morning of the 3rd of April, when the work of the day was being planned, it was decided among other things to send a small party out to see if they could find the wagon which had been abandoned by Messrs. Howe and Wheelock on the prairie three weeks before, and if so, to bring in what provisions they could. This party consisted of Messrs. O. C. Howe, R. U. Wheelock, B. F. Parmenter and myself, and I think there was one more person in the party, whose name I do not now remember. We left the main body near the Howe cabin, and under the guidance of Mr. Wheelock we had no difficulty in finding the abandoned wagon. We took what we could conveniently carry of flour, pork, coffee, sugar and salt, and made our way back, reaching the main body again at the Mattocks' cabin between three and four o'clock in the afternoon. The supplies we brought were sufficient for the whole party that night and the next morning. I have often reflected on what our situation would have been had we failed to find the wagon or had some one else found it ahead of us and carried off the supplies. We had used up every particle we had brought with us from the Des Moines, and the situation would have been somewhat desperate.

When the work of the day was completed, the whole party went into camp at the rear of the Gardner cabin. Why they did not go inside, I have forgotten. The night was

misty and chilly, with some rain. The boys were busy early in the morning for they knew the trip before them was no "May-day" picnic.

As the morning advanced there were unmistakable indications of a coming storm. As a result of this, the sentiment was divided as to what was the best course to pursue. A majority of the company, including both Captain Johnson and Lieutenant Maxwell, were in favor of striking out at once with the view of reaching the Des Moines River at Hickey's Bend, which was about four miles southwest of Emmetsburg. They were totally ignorant of the country, a large portion of which was broken and sloughy at the best. The whole northwest portion of the State had been covered with from four to five feet of snow, and this was now melting. The difficulties in the way of traveling across the prairie, as was favored by the majority, and of making the proposed settlement, were appalling, and yet they would listen to no compromise.

A smaller number were in favor of waiting over a day or two until after the storm should pass, and then making the return trip by the same route they had come, by way of Emmet and Estherville and down the Des Moines river. Each party was determined to carry out its own plan. After breakfast, the Captain, seeing that there was no probability of the men coming to an agreement, ordered them to "fall in." The men were quickly in their places. His next order was, "All who are in favor of going across the prairie, and starting at once, advance three paces to the front. The rest stand fast." Sixteen stepped quickly to the front. Seven remained in their places. The names of these seven men were O. C. Howe, R. U. Wheelock, B. F. Parmenter, William Wilson, J. M. Thatcher, Asa Burtch and R. A. Smith.

Now that the question was settled, the party that had determined to stay took hold and assisted the others in their preparations. These were soon completed and they took their departure at once. They had gone but a short distance when Captain Johnson and Mr. Burkholder turned back to where Messrs. Howe, Wheelock and myself were standing, and urged

us by every argument they could think of to go with them. They urged that in all probability parties of savages were lurking in the groves and that as soon as the main party had left we would fall easy victims to an attack. On the other hand we urged them to stay with us until the storm was over and then go back by the same route we came. We were strongly determined on that one point. We would have started back with them then, had they consented to go by our route, but this they would not do. We also insisted that the danger to be apprehended from the coming storm was far greater than from the Indians.

After becoming satisfied that their efforts were useless, and that we were bound to stay, they shook hands with each of us, bade us "Good By", and started on the run to join their comrades. It was their last "Good By". We watched them out of sight, and then turned our attention to our own safety and comfort. We moved our camp into the cabin and then decided on our future course. The first thing to be done was to make another trip to the abandoned wagon for provisions, as we had baked up the last crumb of what we brought the day before, and had given it to those of our comrades who had started back. We started out at once and made the trip in as short a time as possible, and it was fortunate that we did so, for just before we reached the cabin on our return, the sudden change in the weather occurred which has been noticed by all of the writers who have written on this affair.

We hurried to the cabin as fast as possible, bringing provisions enough to last us two or three days. We next secured a supply of fuel and as Gardner's stove had been left in place, without having been disturbed by the Indians, we soon had a good fire going and proceeded to make ourselves comfortable as speedily as possible. This was Saturday afternoon. We spent the time from then until Monday morning in resting up, drying our clothes and cooking victuals for our return trip, little dreaming of the terrible sufferings which were being endured by our comrades who had started across the country for the Irish Colony, or that larger company who were having such a bitter experience on the banks of Cylinder

Creek. By Monday morning, everything was frozen solid, so that we could go where we pleased, and we started for Fort Dodge where we arrived in due time without incident or accident worthy of notice.

THE FIRST MONUMENT TO IOWA VALOR.

BY CHARLES ALDRICH.

The first effort to do honor to the memories of the hardy pioneers who volunteered in 1857 at Webster City to go to the relief of the settlers at Spirit Lake who had been attacked by the ruthless Sioux Indians, was undertaken by me in the summer of 1887. Having been a typesetter for many years, I came in one day from my farm and asked the proprietor of the *Webster City Freeman* to make up a stick the width of a sheet of old-fashioned letter paper, and give me a case.

He did so at once, and I then and there set the type for a brief petition to the county board of supervisors, praying for the appropriation of three hundred dollars with which to procure a tablet to the memory of the soldiers as above stated. When I had set the type, Mr. Hunter kindly had three or four copies of the petition printed. This was on a Saturday.

I first went to the banks and secured the signatures of all the bankers with two exceptions. After those of the bankers I secured the signatures of the leading merchants. Many of the leading farmers of the surrounding country were in town that day, and every one to whom I presented the petition signed it cheerfully. In this way I secured the endorsement of perhaps thirty or forty of the representative tax payers of the county.

Charles T. Fenton was chairman of the board of supervisors and read the petition. He remarked, "O, yes, we will grant that petition." His associates assented to the proposition. They then proceeded to appoint me as a committee to carry out the prayer of the petitioners. I objected to acting alone, but said I would be willing to do the work provided they would give me four or five associates.

This proposition was accepted and they asked me to name the gentlemen whom I desired to act with me. The following were named by me for this work: Ex-Judge Daniel D. Chase, Kendall Young, W. W. Boak and Augustus Anderson. I prepared the inscription which the Judge and I discussed a half hour or more. He finally gave his endorsement to the lettering as it stands on the tablet today. I entered at once into correspondence with Messrs. J. & R. Lamb, 59 Carmine Street, New York City, who offered to manufacture a tablet for two hundred and fifty dollars, furnishing also a beautiful slab of blue Champlain marble upon which to mount it. I accepted their offer and closed the contract with them.

I decided on August 12th as the date upon which to unveil and dedicate the tablet. My first step was to invite Gov. William Larrabee to be present and preside over the meeting in the courthouse. He was very much occupied but finally promised to come.

In order to make the occasion of the utmost historical importance, I invited six gentlemen who had participated in the Spirit Lake Expedition to be present, and read to the people chapters of their recollections of the expedition and all the attending circumstances. These were Ex-Governor Carpenter, Hon. John F. Duncombe, Commander of Company B in the Expedition, and Charles B. Richards of Fort Dodge, Commander of Company A. Then we had the following privates from our own county: Michael Sweeney, William K. Laughlin and Frank R. Mason. Each of them wrote out his recollections and read them at the unveiling of the tablet. These articles were quite largely copied by newspapers of the State at that time and attracted wide attention. Some years afterwards I compiled them into one long article which I published in the *ANNALS*,¹ and this I confidently believe gives the best account of the Spirit Lake Expedition that has ever been published. Herbert Howe Bancroft somewhere states in his great works that the best material for historical purposes are these records of eye witnesses. I also included the portraits of several of these men.

¹ANNALS OF IOWA, 3d ser, v. III, p. 481-553.

Upon assembling at the courthouse, I was at first a little fearful that I had procured "more speeches" than could be delivered during the afternoon. But upon organizing the meeting in the court room, I soon ascertained that we could only get about one-third of the people present into that hall. The only resource therefore was to organize an overflow meeting on the east front of the edifice. This was speedily done, and the great crowd outside drew up close to the entrance where they were first addressed by Ex-Governor Carpenter, followed by Hon. Wesley Martin who read the article which had been prepared by Michael Sweeney, then absent in Colorado. Lieutenant Maxwell, who had delivered his address in the court room, came down and delivered it again to the outside meeting. I had prepared a statement given to me by Mrs. W. L. Church, the brave woman who killed an Indian near Springfield, now Jackson, Minnesota.

The event passed off to the satisfaction of all present. The tablet was a very fine one, and it remains where it was placed on that eventful day. It is estimated that there were more than two thousand people in attendance, ably presided over by William Larrabee who was then at the height of his almost phenomenal popularity as governor of the State.

I believe that this was the first effort to erect a historical memorial within the State of Iowa to men who had served in a military capacity.

A pretty brisk trade is now carried on between this place and Illinois, in consequence of the very accommodating natural bridge that has recently been erected across the Mississippi. Were we telling this story in Siam we might be obliged to explain, but those living in cold countries will doubtless understand us.—Burlington, I. T.—*Burlington Patriot*, Dec. 13, 1838. (Prospectus)

THE WRITINGS OF JUDGE GEORGE G. WRIGHT.

II.

BERNHART HENN.

I have referred to this early day official more than once, and especially as my successful competitor for Congress in 1850. He then, as he had for years before, and as he did until his death, resided in Fairfield. Had been in the U. S. Land office—first as a clerk and then as register—and was elected to the Twenty-second and also the Twenty-third Congress (1850-1852).

Henn was a friend and protege of Gen. A. C. Dodge, whom he greatly admired, and was a Democrat of the most pronounced stamp.

In the land office he was always most accommodating and very popular. Had a wonderful memory of faces and names. His acquaintance as a lawyer with the settlers was very extensive, for a large percent had met him in entering their lands and other matters connected therewith. It was a matter that I remarked often during our canvass of the district, that so well and clearly had he studied the maps, the surveys of the public lands in his office, that in places where he had never been, he could, by the topography of the country, the direction of the streams, the timber line or the prairie tell who lived at this point or that, and seldom made a mistake. Such a man of course had "locality" as the phrenologist would say, strongly developed. And coming to the farm, the owner of which he had in advance recalled, and knowing him, was calculated to make him popular. Then, too, he was a gentleman,—very polite and full of good nature, sense and manners, and finding friends and acquaintances everywhere, was much stronger than were others with more ability whether on the stump or in legislative halls.

Was not an attractive speaker by any means. He, however, was honorable and frank in the expression of his views,

always full of Democratic doctrines and fighting for his own and Democratic success. In person was not above if up to medium size. His face was not one to impress you as reflecting much intelligence nor did his manner on the stump help him much in this respect. We rode and slept and ate together for say a month or more,—speaking from the same wagon in the timber, at times in the same church or log court house, first one and then the other, the party opening replying in brief,—and closed our canvass with the best of feeling, nothing occurring to leave the least wound or sore. He felt happy over the result. I did not at the time, but frequently since have rejoiced that I was by the popular verdict required to still practice law and stay at home.

In Congress was not a big man and never would have been renowned as a speaker or active upon the floor. But for fidelity to every interest of his constituents, watchfulness of everything required by them, he was almost without a peer. Patient, industrious—of excellent business and other habits—modest and unpretentious—always in his place whether in committee room or in the House—ready to spend all the time necessary at the departments—prompt in responding to the call or requests of his correspondents, he was a most valuable and useful member. Such men are quite as important and safe in the discharge of their public duties and do quite as much for the welfare of the people as those more frequently heard or who make more noise, whether at home or in Washington. His industry and constant attention to his work rendered him a very useful member.

Died several years since, and long prior thereto was an active and efficient member of the Congregational church, aiding by his means and influence in building up the religious and educational interests of his place. He was also a member of the Rocky Mountain Real Estate firm of Henn, Williams & Co. and was known in business as a leading man in his locality.

Bernhart Henn was a most excellent citizen, a faithful and accommodating official—a kind-hearted gentleman—a devoted husband and father—true to his friends, and his life told well

upon the locality where he so long lived, as also upon the State.

CYRUS WALKER.

Of one whom I knew well—and who, though he did not reside in Iowa, was a most prominent lawyer in the southeastern courts from say 1843 to 1852 or 1853, I must say a word. I refer to Cyrus Walker, of Illinois.

He first plead in the defense of William Ross for the shooting of Bradstreet in Burlington,—case tried in Fairfield. For years after he tried very many of the most important cases in Lee, Des Moines, Henry, Jefferson, Van Buren and occasionally in Wapello if not in Davis counties. He had long been a leading lawyer in Illinois,—was of Kentucky stock and his turning to Iowa for awhile grew out of the fact that his relations with Judge Stephen A. Douglas then on the bench were such that he wished not to practice there while he held the place.

I have said he was of Kentucky stock, and he had that familiarity with land law and equity proceedings which in those days so particularly characterized the profession in that state. A man when I first knew him, say forty-five years of age—of good size and presence, the most affable manner—a musical voice—gentlemanly and courtly in all his relations to court, bar and people—of the best habits—ready command of language—unusually apt and happy in his illustrations—a thorough scholar in the law—of varied information and broad culture—plausible—strong in argument and logic—he was, I need not say, a recognized power whether before court or jury. I was then young, and making due allowance for my admiration in this younger life, for those of his ability and high attainments, I nevertheless say that as I now remember him he was the most effective talker to a jury, had a larger fund of wit and more ability in the ready and happy presentation of questions and cases to a court than any man I ever met. I know there are those who did not and do not estimate him so high,—but this in brief is my opinion of Cyrus Walker. How often have I listened to him and asked,

is it possible that I can ever even approximate him in eloquence of statement—force and originality of argument—ease and style of manner and apparent fairness in stating, meeting and overthrowing the pleas and arguments of opposite counsel? Though a good land and equity lawyer, he was sought for and had retainers in almost every criminal case of any magnitude.

I have occasion to remember his helpful hand when we were, as often, together, and then, too, his sledge-hammer logic and unequalled plausibility when on opposite sides.

Among the last cases I remember in which we were associated was that of another Ross (brother of William) for the killing of David Wright in Ottumwa at the time of a public sale of lands belonging to the Des Moines River Improvement grant. He was tried on change of venue in Union county. J. C. Hall, Mr. Walker, my partner (Judge Knapp) and myself for the defense—the District Attorney—assisted by Augustus Hall, Brumfield and perhaps another for the prosecution. It lasted a week,—was most hotly contested, and yielding due praise to others, I have always thought that the acquittal of our client was at least to a large extent due to the tact in cross examination, the adroitness with which he enabled us to meet every question and the masterly argument to the jury of the eloquent man of whom I am now speaking. Always the soul of honor—ever respectful to court, jury and opposite counsel—a suave manner and plausibility that captivated if it not always convinced by its force—never misstating the testimony or attempting to mislead the court—he threw doubts if he did not break down all opposite theories and views and carried a jury almost *nolens volens*. The case referred to will be long remembered in and about Wapello and Monroe counties, and not a few yet remember how effective was his work in that most memorable judicial contest. The jury was out all night and even longer—then hung, as we afterward learned, by one recalcitrant “good and lawful man” who nearly brought about a new trial but who finally, at a late hour Sunday morning, surrendered, and Ross was acquitted.

But I will not say more of this grand man. I allow much for my youthful admiration for his, to me, peculiar manner—great power as an advocate—and his high character as a gentleman and citizen—and yet cannot but express the truth that the profession, though full of good, honorable and strong men, had none like him in all that goes to make the gentleman, the lawyer and the truest manhood.

Let me add parenthetically, and as well here as elsewhere, as tending to show the currency in which we then dealt and how our fees were paid, that on that trip when myself and partner got home, we had beside the horse we were driving, six others, two of them as part return for our work in the Ross case and the others picked up from other clients or paid for in notes of hand for still others. Then horses were legal tender almost—were very cheap—but you could turn them into money or in the payment of debts (and we often needed them for the latter!) about as readily as any other property. Think of two young lawyers passing through the county with six horses led by the side of one driven, and behind. If seen now there would be not a few surprised people ready to believe that more than one man's barn or pasture had been entered!

But we were never arrested nor a question made as to our title. For as we could not get money—it was not to be had—we took horses or goods or whatsoever our clients could pay. If money was scarce so fees were low—and in a spirit of accommodation all classes managed to live and let live. We seldom closed the work of a term without a horse or horses as the fruit of our toil. Or, if not a horse, then goods or something else which could be used by ourselves or families—all of what we could use and which clients could better and easier pay than money. Barter was the order of the day, and all classes—preachers, lawyers and doctors—all alike accepted the situation.

Once, I remember, fall of 1842, I had just returned from a trip on which I had been paid in cloth for an overcoat which I much needed. A neighbor, to whom I owed ten dollars, and I believe more, called and asked for money to buy some goods,

or an order to the store. On inquiry I found that he wanted an overcoat (no ready made goods then) and I turned over to him the pattern I had. He had a new coat and I wore the old one. But I paid that much of my debt. He was happy and so was I. We were both young and unmarried. and though I occasionally felt a little hurt through the winter as he sported his new wrap, I have long since forgiven the willing spoliation!

DAVENPORT,

Wednesday, November 13, 1839.

Saturday, Nov. 9, a fine day. A meeting was held at 11 o'clock, to appoint a committee to receive the remains of our deceased friend, the Hon. Wm. B. Conway, Secretary of the Territory of Iowa, who died at Burlington, on the 6th. As soon as arrangements were made, and the meeting adjourned, the steamer Ione, hove in sight, with the corpse, accompanied by Hon. J. W. Parker, of the Council and Hon. J. M. Robertson, of the House of Representatives. The corpse was taken to the Catholic church where the funeral service was performed by the Rev. Mr. Pelamough [Pelamourgues].—The body was then removed to the private cemetery of the deceased, accompanied by a large concourse of citizens, from Rockingham, Davenport, and the surrounding country.—*Iowa Sun*, Davenport, November 13, 1839.

Rail-Road from Lake Michigan to Mississippi River.—The citizens of Dubuque, Wisconsin, have held a large meeting to adopt measures for obtaining from Congress an appropriation for the survey and location of a Rail-Road from Lake Michigan to the Mississippi River. The resolutions state that it is desirable that the road should be directed to the United States lead mines, and thus a great chain of communication be formed between the extreme eastern point of the Union across the Mississippi to the Missouri river.—Albany, N. Y.—*The Jeffersonian*, May 26, 1838.

JEFFERSON COUNTY POLITICS BEFORE THE CIVIL WAR.¹

BY HON. CHARLES J. FULTON.

THE BUCHANAN-FREMONT-FILLMORE CAMPAIGN.

In the elections of county and State in 1854 the Whigs were victorious. Within twelve months the futility of the Whig party as a National force was generally perceived. Its members no longer possessed a common interest of sufficient importance to bind them together. Upon the pressing problem of the extension of slavery there was radical disagreement. In the other parties also, were divisions and discontent.

The Democratic County Convention which met on June 30, 1855, as a preliminary to participation in its deliberations, required each delegate to "rise in his place and give a pledge that he was a Democrat and had no sympathy with Know Nothings." From each candidate or from his friends satisfactory statements were exacted that he was not a Know Nothing and would not join the order during his term of office should he be elected.

This procedure attracted caustic comment. Hostile partisans were quick to seize the opportunity it afforded them. It was asked why the "thumb-screw regulations" were not applied to that "secret oath-bound society," the "Sag Nichts." And the answer supplied was, "The Sag Nichts are patronized by the present administration and the Know Nothings are not." The Sag Nichts appealed to the prejudices of the foreign born just as the Know Nothings appealed to the prejudices of the native born.

The intensity of feeling actuating the Convention was shown in two resolutions upon which it set the seal of its approval. They were:

Resolved, That they are not all true Americans who are born in America; for among them are Monarchists, Federalists, fanatics,

¹From a forthcoming History of Jefferson County by Charles J. Fulton.

secret plotters, unprincipled demagogues, and all those who would sacrifice their country's prosperity and freedom for their own temporary success.

Resolved, That he only is a true American who loves the principles of Democracy, adheres faithfully to the Constitution of the United States, labors to extend the principles of free government throughout the world, and to the oppressed everywhere, and cordially despises "every species of tyranny over the mind of man."

These were the conditions political when, on July 14th, "a People's Republican Convention," pursuant to a call signed by more than a hundred citizens, but recently Whigs, Democrats and Free Soilers, proposing only "an upright administration" of county offices and requiring of candidates only "that they be honest and capable," gathered at the courthouse. One hundred and seventy-six voters took part in the proceedings. They chose for president, Christian W. Slagle, and for secretary, Ebenezer S. Gage. Their platform was prepared by a committee consisting of Caleb Baldwin, Mathew Clark, J. S. Mount, John W. DuBois and George Hanawalt. It was clear, concise and direct. These were its planks:

I. We declare our implicit faith in a Republican form of government.

II. We declare that, in the use of the elective franchise under such form of government, the citizen is responsible to his country for the use he makes of it, and not to any political party.

III. We declare that the exercise of a free and enlightened judgment is an indispensable requisite to the proper exercise of the elective franchise; that in the exercise of such judgment it is the absolute right of the citizen to form his own political opinion, and that it is anti-republican for any party, man or men, to control the citizen in the exercise of this right.

IV. We declare that we refuse to endorse any of the political parties of the country; but, while we thus withhold our endorsement, we recognize in the masses of all parties a common brotherhood laboring for the common good of the country; and we utterly repudiate the right of any party to brand as Monarchists, fanatics, traitors, or villains, any portion of the great brotherhood.

V. We declare that in the selection of public officers the voice of the people should be supreme.

VI. We declare our unqualified endorsement of the Republican qualifications for office—honesty and capability.

VII. We declare on the subject of slavery this proposition: Shall freedom be confined to the free States, or slavery to the slave States? as the sense of this convention we pronounce the latter.

VIII. We declare we will use every honorable means, as a free and independent people, to secure the election of the ticket we have this day nominated.

The ferment of the times was touched upon in resolutions offered by Richard Gaines. As dangerous propositions, they were laid on the table. They were:

1. That the aggressions of slavery, and especially the Nebraska outrage and the assault upon the elective franchise of Kansas, have aroused the freemen of the Republic, and that they will maintain their rights and resist the addition of slave territory.
2. That they will maintain the nationality of freedom.
3. That the friends of freedom should make principles, not birth-place, the test of admission to citizenship.
4. That we will repel every ecclesiastical interference in political affairs, by potentate, pontiff or priest, as destructive of the right to worship God according to the dictates of conscience and of liberty.

A suggestion that there be at Fairfield at the time of the State Fair in October a conference of Republicans, though obtaining favorable comment in several papers, was not carried out. It was not till February 22, 1856, that a convention of "free citizens," in the belief that a large majority of the people of Iowa were "opposed to the political principles of the present administration, and to the introduction of slavery into territory now free, and also that made free by the Compromise of 1820;" and that the Democratic Party was "striving to make slavery a great national institution contrary to the principles laid down in the Declaration of Independence and the Constitution as taught by the Fathers of the Republic," assembled at Iowa City for the purpose of organizing a Republican party. A. R. Fulton and W. M. Clark attended from Jefferson county. This convention, in accomplishing the end for which it was called together, announced "That the mission of the Republican Party is to maintain the Liberties of the People, the Sovereignty of the States and the Perpetuity of the Union," and "That under the Constitution, and by right, Freedom alone is National."

The Republican movement was bitterly assailed in the Democratic papers. To their strictures the response was, "The struggle has finally come between the principles of slavery and freedom, and the people will be quick to perceive, in the language of Jefferson, 'that the Almighty has no attribute which will permit Him to take sides with the slaveholder.' "

On March 15th, there met at the courthouse a Republican County Convention open to all who desired "to act in good faith" with the party. Benjamin Robinson was made chairman, and C. O. Stanton, secretary. The platform adopted at Iowa City was ratified and affirmed with this addition:

That we ask no conformity of opinion, and no unity of belief on minor matters—State or National; that in regard to office, we hold merit, not birth-place, to be the test—deeming the rule of Thomas Jefferson—is he honest?—is he capable?—the only true rule; that we are opposed to the extension of the time required for naturalization, believing as we do that we should welcome the exiles and emigrants from the old world to homes of enterprise and of freedom in the new.

An election of district and county officers on April 7th favored the Democrats. This outcome, instead of bringing discouragement and lack of interest, stimulated the Republicans to greater exertions. Though surprised at their defeat, "Pick the flint and try it again," was their firm resolve.

The stirring and tragic events of the next few weeks—the violence and bloodshed in Kansas, the assault of Brooks upon Sumner in the Senate chamber—accentuated and drew with definiteness the dividing line between the Democratic and Republican parties.

The candidates for the Presidency were Fillmore, nominated on February 22d, at Philadelphia, by the Americans, Buchanan, nominated on June 6th, at Cincinnati, by the Democrats, and Fremont, nominated on June 18th, at Philadelphia, by the Republicans. For Fremont, because he "loved freedom and hated slavery"; because he would "do justice to the North and no injustice to the South"; because he had "never flinched from the performance of any duty"; because he had "rendered signal service to his country" and had

“never asked for political rewards on that account”, and because he knew the West and sympathized with its needs, there was a real and genuine enthusiasm.

On June 17th, a Democratic County Convention endorsed the administration of Franklin Pierce, the Cincinnati Convention, and named a county ticket. On the 28th, a Republican County Convention endorsed the National and State platforms of the party, pronounced in favor of a convention to revise the Constitution of the State of Iowa, hailed “with patriotic joy” the nomination of John C. Fremont and William L. Dayton, and likewise named a county ticket.

Governor Grimes having called an extra session of the legislature, and the regularly elected representatives, James Wamsley and Edmund Mechem, having removed from the county, at a special election on June 30th, William Bickford and Christian E. Noble, the Republican nominees, were chosen to fill the vacancies.

Fremont Clubs and Buchanan Clubs were organized. Throughout the summer, slavery, disunion and the admission of Kansas into the Union as a Free State, were discussed with vigor.

In the election of state and county officers on August 4th the Republicans won. For a Constitutional Convention there was a majority of eighty-eight. “The Administration forces fought with desperation,” ran a fervid announcement of the victory, “but Freedom’s army swept the field, leaving not a vestige of hunkerism to mark the spot where waved the black banner of slavery extensionists.”

About the middle of September, an emigrant train passed through Fairfield on its way to Kansas. The Buchanan Club, its “indignation” aroused, on the 18th, formally asserted, after a lengthy preamble, “That James W. Grimes, Governor of Iowa, by thus countenancing the migration of *armed* men through the State, whose apparent purpose is the *invasion* of a sister province, is, in the opinion of the members of this club, acting in violation of his duties as a Governor.” The belief was professed that “it is the duty of *all* good citizens to remonstrate and request him to interpose his authority to

prevent the passage of those armed bodies of men through our State or resign his office." Democratic papers were "requested to publish" these expressions, and Democratic clubs "to take action thereon."

A Democratic mass meeting at Fairfield on October 4th nominated William G. Coop as a candidate for delegate to the Constitutional Convention, but neither passed nor considered any recommendations for specific changes in the Constitution. On the 18th, the Republicans in turn nominated by acclamation James F. Wilson as a candidate for delegate to the Constitutional Convention. In respect to the revision of the Constitution, they voiced these opinions:

1. *Resolved*, That Section 1 of the Bill of Rights of the Constitution of Iowa, declaring that "all men are by nature free and independent, and have certain inalienable rights among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness;" as also Section 23 of said Bill of Rights, declaring that "slavery nor involuntary servitude unless for the punishment of crimes shall never be tolerated in this State," shall be preserved inviolate.

2. *Resolved*, That the evils to which the people of this State are subject on account of the mixed, uncertain and in many instances unsound currency imposed upon them by other States, the Territory of Nebraska, and irresponsible individual bankers, ought to be remedied, and that the best and most practicable remedy is to reserve to the people in the revised Constitution the right to establish within this State a sound banking system of their own.

3. *Resolved*. That the election of the Supreme Judges of the State should be taken from the Legislature and referred to the people.

4. *Resolved*, That the clause regulating the time for holding the general election should be changed, so as to fix a different time from the 1st Monday of August, or leave said time as a subject for legislation.

5. *Resolved*, That while we are opposed to paying exorbitant salaries to state and county officers, we are in favor of establishing such a standard as will afford to the officer a fair remuneration for his services and at the same time place the offices within the reach of all citizens, however humble their pecuniary circumstances.

6. *Resolved*, That we are opposed to the accumulation of an onerous State debt, and in favor of so restricting the Legislature

in this respect that all acts creating any debt shall provide a fund for its payment, and that all acts providing for extraordinary expenditures, except in case of an invasion or insurrection, and calculated to establish an onerous indebtedness on the part of the State shall be referred to the people for their action and shall not take effect unless approved by the vote of the people.

In a letter accepting the nomination, James F. Wilson gave at length his views upon these declarations. Upon them all he stood four square. The first he considered essential to "the safety of the doctrines of Freedom and Human Rights." As to the third, he held that "all officers should be elected by the people." Of the last, he maintained "that the true policy is to refer propositions for creating State indebtedness to the people for their action, with a view to affording those who have to bear the burden an opportunity to say whether or no they will accept it." In this connection, it is a pertinent comment that upon the organization of the Constitutional Convention James F. Wilson himself was named as Chairman of the Committee on State Debts, that to him fell the lot of drafting the restriction, and that his report, save for raising the limitation from one hundred thousand dollars to two hundred and fifty thousand dollars, was virtually adopted as presented.

In the last days of the campaign, the fight turned upon the delegate to the Constitutional Convention. Should the Constitution embody the principle of Freedom? The decision was rendered on November 4th in 1,207 votes for Wilson and 1,122 votes for Coop. At the same time there were cast by Republicans 1,188 votes for Fremont; by Democrats 1,023 votes for Buchanan; and by Americans and Whigs combined 206 votes for Fillmore. The strength of the sentiment against the extension of slavery was unmistakable.

THE LINCOLN-DOUGLAS-BRECKINRIDGE-BELL CAMPAIGN.

For three years slavery was a subject of constant and earnest public discussion. In them the consciences of men were searched out and prepared for the coming struggle.

On January 18, 1860, a special State Convention met at Des Moines to name delegates at large to the National Convention, not yet called, of the Republican party. One of these delegates, of whom there were nine, was James F. Wilson.

There was no general expression of preference for any Presidential candidate. "Vindex," who wrote *The Ledger* concerning this gathering, correctly stated the prevailing sentiment. "It cannot be told now," he says, "who it will be best to select for the ensuing contest. Whoever he may be I hope he will be a full-grown Republican—no weak-kneed, limber-backed, half-and-half compromiser." On February 1st, "Index," a resident correspondent of *The Ledger* proposed "for President, Salmon P. Chase of Ohio, and for Vice President, Simon Cameron of Pennsylvania." If the intent of this communication was to stir local political waters, it produced no visible ripples. On March 16th, *The Ledger* observed editorially that it is "almost a certainty" that Lincoln will have a place on the ticket, but in respect to Seward, though mentioning him with favor, it hazarded no opinion. The whole desire was for a strong man whose convictions were in harmony with the spirit of the new party.

The vital purpose back of the Republican movement was the prevention of the further extension of slavery. Paramount to and inseparable from this was the preservation of the Union. Other issues were joined and exerted their little influence, but they were incidental and relative only.

That slavery was not a thing remote, but near, that even here its evils touched and harmed, was suddenly and sharply brought to the notice of the community. On the last Sunday morning in January, two white men having with them two negro girls aged about eleven and fourteen years passed through Fairfield on their way southward. In a short time they were followed by a young man named Allen at whose house they had breakfasted. The behavior of the men and their replies to his inquiries had made him suspicious that they were carrying off the children without proper authority. Warrants for their arrest were secured from Thomas D.



*Yours truly
Samuel Jacobs*

Evans, a Justice of the Peace. They were pursued, arrested at Iowaville, and brought back for examination. One was committed to jail and one released on bond. The bond was signed by Col. James Thompson, Samuel Jacobs and Wm. H. Hamilton. The preliminary hearing was scarcely ended when the sheriff of Johnson county appeared and took the men in custody on the charge of kidnapping. They were taken to Iowa City for trial. The moral of the incident was not lost.

A State Convention to select a delegation to attend the National Convention of the Democratic party at Charleston was called for February 22d at Des Moines. To provide for their representation, the Democrats of the county met on the 11th of the month at the courthouse. The attendance was small. A platform of eighteen planks was offered for adoption. This dealt with various phases of the slavery question, declared for homesteads, and instructed for Douglas "through evil as well as good report." There was some difference of opinion among those present. Charles Negus opposed the promulgation of a platform. He was also against an instruction for Douglas, whom he considered popular neither at the North nor at the South. On the other hand, Col. James Thompson thought the principles of Democracy could not be published too often, and asserted that Douglas was the best man living since Jackson's time. Bernhart Henn approved the passing of resolutions and the giving of instructions. James A. Galliher objected in particular to the declaration in favor of homesteads. The opposition obtaining no material support, the original proposals were sustained.

On March 16th, a number of Republicans planned an organization, which upon the suggestion of Dr. Charles S. Clarke was called the "Irrepressible Republican Club of Fairfield." The name indicated an acceptance of the truth of William H. Seward's memorable expression. On the 23d, the principles to which its members subscribed were enunciated. The chief articles were these:

That the Constitution confers upon Congress sovereign power over the territories of the United States for their government, and that in the exercise of this power it is both the right and duty of Con-

gress to prohibit in its territories those twin relics of barbarism, Polygamy and Slavery.

That the States of this Union possess sovereign power within their own limits respectively over all matters wherein the power is not delegated to the Congress by the Constitution; and that neither Congress nor sister states have any right to interfere with Slavery or any other institution existing in any state.

The officers were Samuel Mount, president; Sumner M. Bickford, vice president; Wm. S. Moore, secretary; J. H. Beatty, corresponding secretary; and W. M. Clark, treasurer. Meetings were held regularly on Friday evening of each week.

The rupture in the Charleston Convention in the last days of April brought temporary dismay to the Democrats. In contrast with this the conduct of the Chicago Convention and its nominations on May 18th increased the ardor of the Republicans. The result was announced in exuberant strain. "Republican Freemen of old Jefferson! after a long, long drouth the Earth rejoiceth in the abundant rains, and the long deferred hope of the husbandman in a harvest of plenty returneth, and by the wisdom of our Representatives at Chicago the long deferred hope of the American Patriot is startled into new life." On May 30th, they ratified and celebrated the choice of Abraham Lincoln and Hannibal Hamlin as their standard bearers. A torchlight procession with suggestive transparencies honored the "Railsplitter" and made sport of the "irrepressible conflict" between Douglas and Buchanan. Songs and speeches followed. One song, written for the "Irrepressible Club," was entitled "Lincoln of the West":

From vale to hill, from hill to vale,
Hear ye the bugle blast,
What shouts are borne on every gale
For Lincoln of the West,
For Lincoln of the West, my boys,
For Lincoln of the West;
The champion of Freedom's cause
Is Lincoln of the West.

No truer heart than his can guide
The Ship of State to rest—
A nation's heart now turns with pride
To Lincoln of the West,

To Lincoln of the West, my boys,
To Lincoln of the West;
The champion of Freedom's cause
Is Lincoln of the West.

The reign of misrule long we've borne—
By burthens sore oppressed,
And for relief the people turn
To Lincoln of the West,
To Lincoln of the West, my boys,
To Lincoln of the West;
The champion of Freedom's cause
Is Lincoln of the West.

Let every heart and hand now join
To bring the day thrice blessed
The nation shall her trust consign
To Lincoln of the West,
To Lincoln of the West, my boys,
To Lincoln of the West;
The champion of Freedom's cause
Is Lincoln of the West.

Another popular song by the same author contains more of the vernacular. It was called "Old Abe Lincoln":

Republicans will sing tonight
A tune renowned in story;
It filled the freeman with delight
On many a field of glory.
O, Lincoln is the man to lead
Our noble hosts to battle;
He's fit to be our President,
Or drive a team of cattle.
Yankee Doodle, keep it up,
Yes, indeed we can, sir,
With Abe we'll beat their little Dug,
Or any other man, sir!

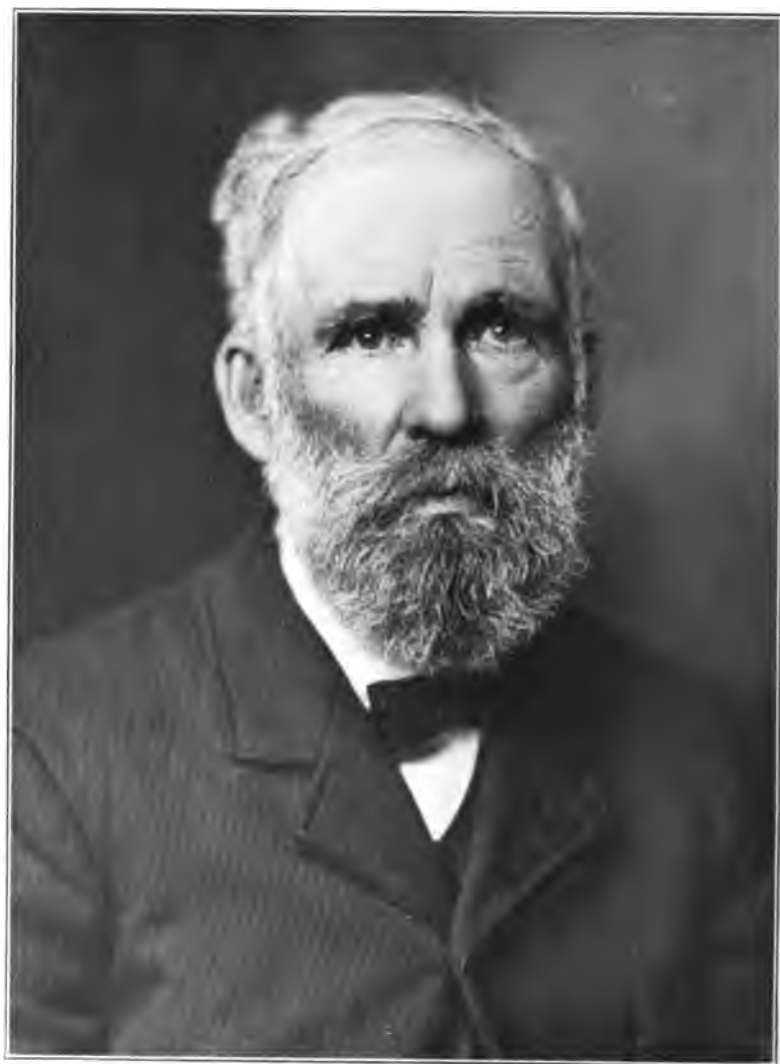
O, long enough Buchanan's crew
Have lived by public plunder,
So now Old Abe will trot them through
And surely give them thunder.
The Little Giant's "cake is dough,"
And Buck may feel forlorn, sir,
For to the White House Abe will go
As sure as he is born, sir!

Yankee Doodle, keep it up,
Yes, indeed we can, sir,
With Abe we'll beat their little Dug,
Or any other man, sir!

We know Old Abe is bound to win
On every field of fight, sir;
The Little Giant can't come in,
Nor "hold a candle" quite, sir;
And now the battle's drawing nigh,
We'll meet the foe I'm think'n',
And this shall be our battle-cry—
Hurrah for Old Abe Lincoln!
Yankee Doodle, keep it up,
Yes, indeed we can, sir,
With Abe we'll beat their little Dug,
Or any other man, sir!

A Republican pole of oak, one hundred and six feet long, was raised on June 9th at Glasgow. It was crowned with evergreens, emblematic of "ever-enduring principles," arranged to resemble "the proud bird of America, that soars above all others." Below these was a streamer of calico to signify sympathy and association with "workingmen," not with "slave-drivers in their broadcloths and satins." After the pole was set, the Stars and Stripes were run up and then a banner, inscribed on one side with "Lincoln and Hamlin, Union and Victory," and on the other side with "The Territories for Free White Men." Speeches were made by D. P. Stubbs, Howard Brown and A. R. Pierce.

On June 14th, the "Republican Wide Awakes of Fairfield" were organized. Their company has the distinction of being the first one formed in the State. Each member was obliged to provide himself with a cap, cloak and torch, or to pay two dollars into the treasury for which these articles were furnished him. He agreed also to "hold himself in readiness to take part in torch-light processions during the Presidential campaign, to perform escort duty, to attend the night meetings and grand rallies of the party, and to act as a Vigilance Committee on election day." He further pledged his honor that "on all public occasions" he would "refrain from using



H. J. Johnson

profane language, or noisy demonstration," and that he would "implicitly obey the orders of his officers and comport himself in a decent and respectful manner." James F. Wilson was the first to put his name to the "constitution." Some others who subscribed to it that night were Dr. C. S. Clarke, Robert F. Ratcliff, J. A. McKemey, S. M. Bickford, George Howell, Samuel E. Biglow, G. A. Wells, Harry Jordan, S. Light and W. W. Junkin. For their officers, they elected G. A. Wells, captain, and Dr. C. S. Clarke, lieutenant, A. R. Fulton, secretary and F. B. McConnell, treasurer. Captain Wells and Lieutenant Clarke resigned their positions without serving and were succeeded by Alvin Turner as captain and J. W. Shaffer as lieutenant. The musicians were W. H. Sheward, John R. Shaffer and A. R. Rusch. The activities of this body of men were remarkable. During the campaign they traveled forty miles by railroad and one hundred and eighty-seven miles in wagons, visiting and marching at Glasgow, Birmingham, Libertyville, Agency City, Brookville, Washington, Salina and Abingdon.

The Republicans at Brookville, equally alert, on June 16th formed a club of which John Gantz was president, Joshua Wright, vice president, Samuel Robb, secretary, J. Bardine, corresponding secretary, and Thomas Griffin, treasurer.

The Baltimore Convention met on June 18th and on the 23d nominated Douglas and Fitzpatrick. About this time occurred the organization of the "National Democratic Club of Fairfield." On June 30th, a ratification of these nominations took place at Fairfield. It was described by Samuel Jacobs as an "imposing demonstration of the Democracy." The enthusiasm must have been tempered with considerable chagrin as it was then known that Fitzpatrick had declined the honor of a place on the Democratic National ticket.

From this time till the day of election both parties marshaled their forces with an increasing earnestness. Meetings were held in every school house and in every grove where people were wont to assemble. Work in field and shop and store was neglected that the discussions and debates over the issues involved might be heard and the arguments weighed.

The action and incidents of this period are not to be traced in detail. A glance here and there at them will portray their characteristic aspects.

The "Union Republican Club of Abingdon," organized on July 7th with John H. Webb as president, Cyrus McCracken as vice president, W. M. Campbell as secretary and David Peters as treasurer, set out briefly and clearly the Republican position as locally understood. Its announcement was devotion to the Constitution and Union, opposition to the interference with slavery in the States and determination to resist by all constitutional means its further extension.

Near the close of July, Republican badges of white satin ribbon, printed by W. W. Junkin, began to be worn. The design bore at the top an eagle in flight, a scroll in its beak and a flag in its talons. Below was the legend, "The Union must and shall be preserved," and the quatrain,

The glorious cause is moving on,
The cause once led by Washington!
The cause that made our Fathers free,
The cause of glorious Liberty!

Then came the portrait of Lincoln, the lines "For President, Abraham Lincoln, For Vice President, Hannibal Hamlin," and the expressive phrases, "Free Homes, Free Territory!" Next an unfurled standard and a cannon in the act of discharge illustrated and emphasized "Protection to American Liberty!" This stanza was last:

Huzza, boys, for Lincoln and Hamlin,
Let the banner of Liberty wave;
With Lincoln and Hamlin our bosoms
Will beat to the march of the brave!

"It occurred to me," wrote a correspondent of the *Jeffersonian* just after Republicans on August 25th at Coalport had raised a pole one hundred and fifteen feet high surmounted by a new broom, "that if you could have been here, and compared our stalwart squatter sovereigns with the dissipated, sickly-looking, counter-jumping Wide Awakes that make night hideous with their sulphurous lampsmoke

and their screams for Lincoln, you would have thought with us that our part of the county, to say the least, was all right for Douglas and Johnson."

"The Wide Awake company of Fairfield," "Wide Awake" responded, "is composed of 85 members, and represents 35 different, useful and honorable occupations, as follows:

Attorneys 4, Blacksmiths 3, Banker 1, Bookseller 1, Butcher 1, Clerks 13, Commission Merchant 1, Cattle Dealer 1, Carpenters 2, Coopers 3, Cabinet Makers 2, Coal Digger 1, Druggists 2, Editor 1, Farmers 13, Grocers 4, Harness Makers 5, Jeweler 1, Land Agent 1, Lumber Dealer 1, Law Students 4, Laborers 2, Millers 2, Painter 1, Printer 1, Plasterers 2, Physician 1, Sawyer 1, Surveyor 1, Shoemakers 2, Tailor 1, Tanners 2, School Teacher 1, Teamster 1, Wagon Maker 1. It will be observed also," he concluded, "that there are as many of the 'stalwart' hard-fisted yeomanry in the company as there are 'counter-jumpers.'"

The "Lincoln Rangers" of Brookville and Locust Grove township, a company of seventy horsemen, was organized near the end of August with J. A. Ireland as captain.

In the park at Fairfield, on September 1st, six young men debated political issues. The Republican point of view was presented by G. B. Kirkpatrick, I. N. Elliott and George Strong; the Democratic, by R. J. Mohr, A. G. Thompson and W. A. Jones.

Noting that the torches, the martial music and the marching of the Wide Awakes, attracted and excited the public, the Democrats finally adopted a similar expedient to recover the favor felt to be slipping away. They found no happy common name to apply to their organizations. In different localities they were variously "Invincibles," "Bell Ringers," "Ever Readies," "Guards," and what not. A company formed at Fairfield about the middle of September was called "The True Blues." Their insignia were "hickory shirts trimmed with red" and red transparencies.

On October 5th, a notable Republican meeting was held at Glasgow. Prominent in the procession of the morning was the "Swede delegation" in twelve or fifteen wagons, the

leading one drawn by six horses and having on each side the inscription, "We come to this country for Freedom—not Slavery!" Another noticeable feature was a wagon containing thirty-four young women with banners. Thirty-three of them dressed in white personified the States of the Union; the one, Miss Caroline Unkrich, clad entirely in black, symbolized "bleeding Kansas." A free dinner was served. The event of the afternoon was a speech by James F. Wilson. In the evening, the Wide Awakes paraded. Owen Bromley, "the coal digger," afterward addressed them. Those from a distance remained over night. The evidence of the home of a Republican was a maul placed on the fence in front of the house. Where this sign was, whoever entered was welcomed and cared for.

The Republican rally of October 17th was "the greatest meeting in Iowa" and in numbers has not since been equalled at Fairfield. The crowds came from every direction. Wide Awakes came from New London, Mt. Pleasant, Salem, Rome, Eddyville, Ottumwa, Kirkville, Agency City, Bloomfield, Drakeville, Troy, Sigourney, Richland, Martinsburg, South English, Dutch Creek, Washington, Brighton, Richmond, Jackson, Keosauqua, Bentonsport, Bonaparte, Winchester, Birmingham, Glasgow and Pleasant Plain. From Agency City came a company of women who wore white dresses, blue sashes around their waists, and jaunty caps trimmed with ribbon. They carried spears to which "Lincoln and Hamlin flags" were fastened. From somewhere came another company of women who styled themselves "Daughters of Abraham." There came "Minute Men of 1860," and "Lincoln Guards," each accompanied by a lady, all mounted, and scores of other horsemen. There came wagons by hundreds. From as many different localities, there came nine representations by girls of "the thirty-three States and Kansas." These groups were drawn by teams of six and eight horses. From Abingdon and Brookville, behind twenty-five yoke of cattle, came a huge float on which various men were engaged in blacksmithing, carpentering, broom-making, sugar-making and other occupations.

A procession was formed which was five miles in length. There were the usual attempts to ridicule the party and candidates in opposition. An effigy of Douglas wore on the hat the unfortunate statement, "I don't care whether slavery is voted up or voted down." Numerous banners exhibited devices of evanescent flavor.

The afternoon was devoted to speeches. Three stands in the park were in constant use. The speakers were Governor Kirkwood, Senator Grimes, Senator Harlan, J. W. Thomassen of Chicago, John A. Kasson of Des Moines, Kramer of Michigan, John W. Rankin of Keokuk, Alvin Saunders of Mt. Pleasant and A. M. Scott of Fairfield.

At night twenty-two hundred torches flamed in the parade of the Wide Awakes. Sky-rockets and Roman candles increased the effectiveness of the display. Many visitors who took part in this waited for another day to take their departure. A few slept in their wagons, but most of them were entertained by citizens. Democrats for the time put aside partisanship and opened hospitable doors.

The next week the Democrats made an effort to outdo this gathering. It failed on account of unpropitious weather.

In Jefferson county there were cast 1,462 ballots for Lincoln, 1,245 ballots for Douglas, and 38 ballots for Bell. The Republicans were jubilant. To them it seemed, and the feeling found expression in this quotation:

O, such a day,
So fought, so followed, and so fairly won,
Came not till now, to dignify the times,
Since Caesar's fortune.

“PRIVATE ARCHIVES” OF GOVERNOR KIRKWOOD.

BY EDGAR R. HARLAN.

That the one term service as governor by Ralph P. Lowe and his nomination and election to the Supreme bench, and the nomination and election of Samuel J. Kirkwood for his first term instead of Governor Lowe being given a second term, was brought about through fine harmonizing influences is nicely indicated in the two letters to Governor Kirkwood that follow:

Des Moines, Iowa, 17th May, 1859.

Hon. S. J. Kirkwood,
Iowa City.

Dear Sir:

I am in receipt of a letter from Governor Lowe, just such as a Republican and a gentleman should write. It satisfied me that by no act of his will the safety or good feeling of the Republican nomination be endangered. In reply, after speaking of the prospects of the canvass before the Convention, I have referred to your position in terms which I deem proper to communicate to you; namely:

“I saw Mr. Kirkwood at Iowa City. I feel convinced that nothing has been done by him of a nature calculated to be disagreeable to you or objectionable in itself. His friends drew him out as a candidate before he knew from either yourself or your friends of your intention to offer for renomination. So he says, and so circumstances indicate. I believe entire good feeling will prevail among the friends of both.”

You will agree with me in the importance of preserving this preliminary canvass from bitterness, and from partial combinations and schemes. The impression prevails somewhat that your friends and those of Edwards are combining. Should this extend itself, the friends of Hamilton in the north east would take umbrage. Both Edwards¹ and Hamilton² are fully worthy of the

¹John Edwards was born in Jefferson County, Kentucky, October 24, 1815. He was educated in the schools of Louisville. He removed to Indiana and in 1848 was elected to the legislature, serving one term. In 1852 he was elected state senator by the Whig party. In 1853 he removed to Iowa, and began the practice of law at Chariton. He was a member of the Constitutional Convention of 1857, and served through the Seventh and Eighth General Assemblies. At the outbreak of the Civil War he was aide on the staff of Governor Kirkwood, and in 1862 was commissioned Colonel of the Eighteenth Iowa Infantry, serving through the war and later brevetted Brigadier General. After the war he settled at Fort Smith, Arkansas, and was appointed by President Johnson as Assessor of Internal Revenue. In 1871 he was elected to Congress by the Democratic party and served one term.

²William W. Hamilton was born in England and emigrated to America in 1845, settling in Dubuque, Iowa. He practiced law and was interested in all public affairs, including education and politics. In 1849 he was elected probate judge of Dubuque County, serving until 1852. In 1854 he was

nomination to the Lieutenantcy, and either will be heartily supported if nominated upon his own merits and position. It might be different if he were nominated by seeming contract. A complimentary paragraph to Hamilton (like that to Edwards last week) in the "Republican" of your city, would tend to dissipate this impression. Govr. Lowe's friends will probably not withdraw his name until they learn about the time of the assembling of the Convention that the delegates favor a new nomination. I do not see that this will do harm, but will rather swell the numbers called to the convention, and increase the interest. At that time, too, if his friends shall choose to do it, he can be named for a place on the Supreme Bench.

I remain very respectfully and truly,

JOHN A. KASSON.*

(Tuesday)

Davenport, April 20/59.

Dear Sir

I have for some time desired to drop you a few lines in regard to political matters, knowing how earnest and deep an interest you take for the fate of the Republ. party, which, as I faithfully believe, is destined to regenerate our country from the deep whirlpool of corruption and ruin in which at present it (is) sunk

elected to the state senate and served through the Fifth, Fifth Extra, and Sixth General Assemblies.

*Ralph P. Lowe was born in Warren County, Ohio, November 27, 1805. He died at Washington, D. C., December 22, 1883. He graduated from Miami University and began the study of law. In 1840 he removed to Bloomington (now Muscatine), Iowa, where he worked on a farm and began the practice of law, taking an active part in political affairs. In 1844 he was elected a member of the First Constitutional Convention. He served as judge of the District Court from 1852 to 1857, when he was nominated for Governor and therefore resigned his position as judge. He was the first Governor under the constitution of 1857 and served one term. He was elected judge of the Supreme Court and served from 1860 to 1867. He removed to Washington, D. C., in 1874 and resumed the practice of law.

*John A. Kasson was born at Charlotte, Vermont, January 11, 1822. He died in Washington, D. C., May 19, 1910. He graduated from the University of Vermont in 1842; was admitted to the bar in Massachusetts in 1845; removed to St. Louis and, in 1857, to Des Moines. He was Chairman of the Republican State Central Committee from 1858 to 1860, a delegate to the National Republican Convention which first nominated Lincoln for President. First Assistant Postmaster General from 1861 to 1862. United States Commissioner to the International Postal Congress in Paris in 1863 and in 1867, represented the Fifth District of Iowa in Congress from 1863 to 1867 and the Seventh District from 1873 to 1877 and was a member of the Iowa House of Representatives from 1868 to 1872. He declined a mission to Spain, but served as United States Minister to Austria from 1877 to 1881. Being again elected to Congress, he served from 1881 to 1884, when he was appointed Minister to Germany. He was special commissioner and special envoy to several important conferences between the United States and other countries; a member of the National Geographical Society, American Association for the Advancement of Science and the Washington Academy of Sciences and President of the Columbia Historical Society. He was the author of "The Evolution of the United States Constitution" and "History of the Monroe Doctrine."

through the unconsciousness and want of true patriotism of its managers. If I should be disappointed in this my faith in the party which I and so many thousand freedom loving Germans have joined with so much enthusiasm, if the Republ. party ever should loose sight of its great destiny, to restore within the hearts of the people the true sense for justice and liberty the original spirit of the Declaration of Independence, that is; equal rights to all men and a hearty welcome to the oppressed of all nations, who might seek a home among free men; I say, if I should be disappointed in this, I do not in fact know whence I should take the encouragement to enter into a new struggle and keep myself above indifference. If the Republ. party should ever attempt to absorb elements which would be a blight to its pure fame, its holyness would at once be destroyed and the confidence of the people in it could never be restored. I have not such dark fears! I faithfully believe that there are unnumbered thousands of freedom loving men in our party, whose heads and hearts are on the plain ground in regard to the true meaning of republican liberty and their task will it be to hold high our glorious banner, unspotted and undisgraced, like Caesar's wife above suspicion.

Though with great affliction must I say that at this moment a great number of my countrymen feel their confidence in the party weakened and their suspicion that the Republ. party, if everywhere successful might use its power to oppress foreign born citizens, is again awakened. The reason is the recent action of the Republ. party in the State of Massachusetts. You will admit, my dear sir, that this suspicion is to a certain extent justified. We expected to be garded against all such attempts by the National Republ. platform which says in plain words that no discrimination between citizens on account of nationality shall be made and that all legislation to the contrary shall be rebuked. You may reply, as generally is done, how the Republ. party in Iowa, Wisconsin, Illinois, etc., can be made responsible for the conduct of the party in Massachusetts, but I beg you, sir, to take into consideration, of what use or weight is a national party platform. If the party in the several states do not feel themselves bound by it, but think themselves justified to violate the same whenever they choose? I have sayd before that my own confidence in our party in this respect, especially in the northwestern states, stands firm, but it is deeply to be regretted that the question is earnestly agitated in the entire Republ. German press in the Union, whether it might be safe policy for us to help the Republ. party to success and to the possession of the power to trample us down. The Muscatine German paper, heretofore Republican has already, certainly premature, left the party. It is indeed as much opposed to Democracy as it ever before was, though what does that help us.

This paper has a large circulation in your city and to its present bitterness towards the Republ. party you may ascribe in a great extent the results of your late city election. The great majority of the Germans of course stand yet firm to the party for they cannot so easily be turned but the union its too young and needs to be nourished. The dissatisfaction is gradually dying away and will do so completely if the Republ. State Convention of the several states will adopt resolutions in regard to the matter as, I hope, will be done. The Germans are anxious to bury the tomahawk, which you may judge from the fact, that more than eight hundred of them in Scott County voted for W. Vandever,¹ notwithstanding it was generally known and strongly used by the other side to irritate their prejudice, that he formally did belong to the Know nothing party.

Though speaking about politics I intended to confine myself mainly to our own State and our next State Convention. Since it was pretty generally understood that Governor Lowe would properly not be renominated I fixed my mind upon you as for his successor and I have since then conversed and corresponded with a great many about the subject. Though to my regret it was most generally expressed that you would not accept the nomination. For this reason I intended once to write to you, but however thinking that my humble wishes could not influence your well considered actions I abandoned it. The more gratified do I feel in learning from Mr. H. Price² that you are willing to consent to be our candidate for governor and I would not be surprised if you should be nominated at the very first ballot. There is not another man in the State, whom I could with so much pleasure recommend to my German fellow citizens under the present circumstances than you, for your free mindedness is undisputed. You have never sympathized with any kind of proscription and in regard

¹William Vandever was born at Baltimore, Maryland, March 31, 1817. He died at Buena Ventura, Cal., July 23, 1893. He removed to Rock Island, Illinois, and surveyed large tracts of the public lands in Illinois, Wisconsin and Iowa. He became editor of the *Rock Island Advertiser* in 1846 and conducted that journal, and advocated the building of a railroad from Chicago to the Mississippi River, which, when accomplished, was the first division of the Rock Island Railway. He began the practice of law and in 1855 became clerk of the Supreme Court of Iowa. He was elected to represent the Second Iowa District in Congress and served from 1859 to 1863. He was appointed Colonel of the Ninth Iowa Infantry, participating in the battle of Pea Ridge, the Vicksburg campaign, Lookout Mountain and the march to the sea with Sherman. For gallant service he was promoted to the rank of brevet Major General. He afterward removed to California and served in Congress from that state.

²Hiram Price was born in Washington county, Pa., January 10, 1814. He died at Washington, D. C., May 30, 1901. In 1844 he removed to Davenport, Iowa, and opened a store. He served as treasurer and recorder of Scott county, took active part in organizing the State Bank of Iowa under the law of 1858, and served as president of this institution from 1860 to 1865. He represented the Second Iowa District in Congress from 1863 to 1869 and from 1877 to 1881; was Commissioner of Indian Affairs from 1881 to 1885 when he removed his residence to Washington, D. C., where he remained until his death.

to the temperance question you are at least considered not to be in any way fanatic. Our whole delegation, as far as I am able to learn, will go for you with real enthusiasm.

There will be no objection from here to P. Clarke's nomination for supreme judge though there seems to be a general feeling in favor of Chief Justice Wright's renomination. For Lieutenant Governor I should like to see Judge Hamilton nominated, who made a most splendid presiding officer in the Senate two years ago, though there is a strange objection against him which I am unable to understand. Doubts as to his political reliability and accusations of various kinds are expressed but to my great delight did I not find anybody who was able to prove anything against him. I must say that I do not believe a single word of it. Our politicians here are unwilling to support him on account of his being from Dubuque county, for she, as they say, had her full share. This is certainly, in my opinion, a very unfounded objection. Local claims for office cannot be consistent with true republicanism and I sincerely hope that such kind of objections as were so earnestly made against Grimes' election for United States Senator, will never be sustained by the people, and the sooner our party will do away with such old fogysm the better will it be for the country and the people. I for one am willing to select all our officers from a little borough in Buncombe¹⁰ county if accidentally

¹⁰William Penn Clarke was born in Baltimore, Maryland, October 1, 1817. He died at Washington, D. C., February 7, 1903. He removed to Cincinnati in 1838, and later became editor of the *Logan Gazette* in Ohio. In 1844 he located in Iowa City, Iowa, and was admitted to the bar. He was chairman of the Iowa delegation to the National Republican Convention in 1860, took active part in the anti-slavery agitation, was a member of the National Kansas Committee and the keeper of a station on the "underground railroad." He prepared the original ordinances for the government of Iowa City, was supreme court reporter for five years, member of the Constitutional Convention of 1857, paymaster in the army during the Civil war, and after the war was for some time chief clerk in the Interior Department at Washington.

¹¹George Grover Wright was born in Bloomington, Indiana, March 24, 1820. He died in Des Moines, Iowa, January 11, 1898. He graduated from the Indiana State University in 1839, and read law with his brother, Governor Joseph A. Wright. He was admitted to the bar in 1840, and the same year commenced the practice in Keosauqua, Iowa. He was prosecuting attorney for Van Buren county, state senator two terms, chief justice in 1855 and on the supreme bench for fifteen years. He removed to Des Moines in 1865, became United States senator in 1870 and served six years.

¹²James W. Grimes was born in Deering, New Hampshire, October 20, 1816. He died at Burlington, Iowa, February 7, 1872. He was educated in the district school, attended Hampton Academy, spent three years at Dartmouth College, read law in Petersborough, New Hampshire, and removed to Burlington, Iowa, in 1836. He was city solicitor, justice of the peace, representative from Des Moines county to the first and sixth legislative assemblies and the fourth general assembly, Governor of Iowa 1855-1856, and United States senator from 1859 to 1869.

¹³The report of the conference committee was promptly agreed to except as to the name Buncombe. The managers on the part of the House said the members were opposed to the name; but after the statement that it was suggested in honor of Colonel Buncombe, a soldier of the Revolutionary war, and that North Carolina had named one county Buncombe, the only one in the United States; that the county was the most elevated one in that state; that it would be appropriate to name the northern part of Iowa Buncombe, being the most elevated part of Iowa, the managers yielded, the report was agreed to, written out and submitted to the different houses and adopted January 6, 1851.

Buncombe retained its name until after the battle of Wilson's Creek in Missouri. In this battle . . . Brig. Gen. Nathaniel Lyon was in command and was killed. . . . The General Assembly, wishing to honor General Lyon, looked over the counties for the purpose of

the best men could be found collected there. From the strong claim, as our men say, which Scott County as the Republ. banner county represents, there seems to be an inclination to run me for Lieutenant Governor and also are all the Germans in the State coxing me to be a candidate as a demonstratum ad hominem that the Republ. party has nothing to do with Know nothingism, but you know best what good reasons I have to keep my hands off. I thank God that he has give me modesty enough not to seek a position which I believe myself not able to sustain to my own satisfaction, for my broken English and little experience are not proper qualifications for an office of that nature. This is the main reason why I urge the nomination of Hamilton for he, being an adopted citizen, would though not quite as much as myself, to a certain degree satisfy the German Republicans and would consequently be a strong candidate.

I beg, my dear sir, your kind forbearance for this unseemly long letter and with my imperfect style and mode of writing, as I could not help it to express to you my gratification in regard to your willingness to accept the nomination for Governor.

I am very respectfully your friend,

N. J. RUSCH."

seeing what one might be changed, and still having some prejudice against the name of Buncombe, decided that Lyon should take the place of that name in the list of counties.—ANNALS, v. II, No. 2-3, p. 198, 201.

"Nicholas J. Rusch was born in Holstein, Germany, in 1822. He received a good education and taught school for several years. He emigrated to America and located on a farm near Davenport, Iowa, in 1847. He soon acquired a knowledge of the language, laws and institutions of this country and became an influential leader among the German Americans. He was a Republican in politics, was nominated by his party for state senator in 1857 and elected. He served as Lieutenant Governor of Iowa from 1860 to 1862. He also served as Commissioner of Immigration from 1860 to 1862 with great efficiency. In 1862 he was appointed to a position in the Commissary Department with the rank of Captain. He died in the service at Vicksburg in 1864.

ANNALS OF IOWA

EDITORIAL DEPARTMENT

WHERE IS THE RIVER JEFFREON?

Students of Indian boundary lines in the Mississippi Valley have some difficulty in locating the "river Jeffreon" mentioned in Article 2 of the treaty at St. Louis, November 3, 1804, as follows:

The general boundary line between the lands of the United States and of the said Indian tribes shall be as follows, to wit: Beginning at a point on the Missouri river opposite to the mouth of the Gasconade river; thence in a direct course so as to strike the river Jeffreon at the distance of thirty miles from its mouth, and down the said Jeffreon to the Mississippi, thence up the Mississippi to the mouth of the Ouisconsin river and up the same to a point which shall be thirty-six miles in a direct line from the mouth of the said river, thence by a direct line to the point where the Fox river (a branch of the Illinois) leaves the small lake called Sakaegan, thence down the Fox river to the Illinois river, and down the same to the Mississippi. And the said tribes, for and in consideration of the friendship and protection of the United States which is now extended to them, of the goods (to the value of two thousand two hundred and thirty-four dollars and fifty cents) which are now delivered, and of the annuity hereinafter stipulated to be paid, do hereby cede and relinquish forever to the United States, all the lands included within the above-described boundary.¹

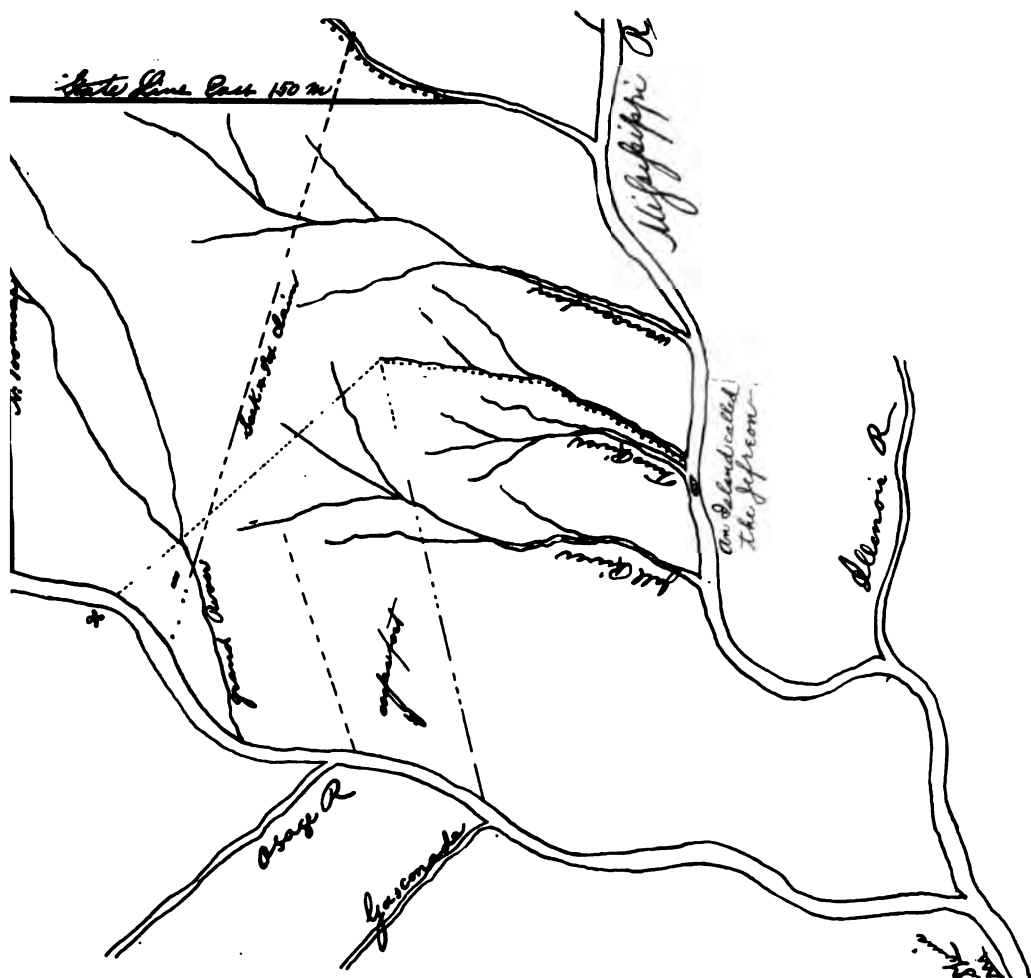
We present herewith a map showing "An island called the Jefreon" at the mouth of the river, and the line from opposite the mouth of the Gasconade to the point thirty miles from the mouth of the river as designated in the treaty.

Incidentally, the west line of the Black Hawk Purchase treaty of September 21, 1832, is here indicated in a projection to the Missouri river, and identified as the western boundary of the Sac and Fox claims.

"PRIVATE ARCHIVES."

Public events are illuminated from private as well as from public sources. Our public archives contain most of the official

¹Kappler's *Indian Affairs, Laws and Treaties*, v. II, p. 74.



Map of Jefreon Island and other landmarks of the Treaty of Nov. 3, 1804, with the Sauk and Foxes. It is inscribed:
 Iowa Superintendency—H. 62
 Filed by Jos. V. Hamilton, Feb. 7, 1837.
 Map No. 1686. Port—M.

correspondence of leaders while temporarily in office. To lead is itself often as important a public service as to discharge official duty, though the records of public leadership are usually very meager.

On this theory the Historical Department of Iowa holds itself obligated to discover, preserve, and reserve from immediate use the personal letters of public men. On another page we present two personal letters to Governor Kirkwood which bear upon his first nomination for Governor and the single term of service of Governor Ralph P. Lowe. The complete history of this and of other interesting chapters of Iowa history of the period of the Civil war and earlier, exists nowhere except in "private archives," of which we are rapidly augmenting our collections.

GEN. J. G. LAUMAN COLLECTION.

The Historical Department of Iowa has recently received a collection of military materials accumulated by the late Gen. Jacob Gartner Lauman, presented by his sons, Col. George Viele Lauman and Charles Newcomb Lauman. This collection illustrates events in the life of General Lauman and his activities as an officer during the Civil War. A list of the collection and a copy of the military escutcheon of General Lauman as given by his son are herewith appended:

GEN. J. G. LAUMAN COLLECTION.

Presented by Col. George Viele Lauman and
Charles Newcomb Lauman.

Army camp outfit advertisement, illustrating field desk, mess chest, cooking outfit, etc.

Autograph congratulatory orders—U. S. Grant to Colonel Lauman and Seventh Iowa Infantry for action at Belmont. Dated Cairo, November 11, 1861.

Autograph Letter—From Adj. Gen. N. B. Baker, thanking General Lauman for relics for Iowa State Historical Society. Dated February 20, 1862.

Barrack Plans—Drawn by soldier, S. F. Warner, Lieutenant Co. K. Seventh Iowa Infantry.

Belt—Full dress, red Russia leather, gilt bands.

Bullet moulds (2).

Buttons (16).

Cap box.

Cleaning rod.

Commissions—

J. G. Lauman, date October 2, 1845, done at City of Burlington, as First Lieutenant of the "Burlington Grays," 1st Regiment, 2d brigade, and 1st division of militia of Territory of Iowa. Signed by John Chambers, Governor, and O. H. W. Stull, Adjutant General.

J. G. Lauman, date January 22, 1856, as Aide-de-camp to the Commander-in-chief. Signed James W. Grimes, Governor and Commander-in-chief of Iowa, George W. McCleary, Adjutant General.

J. G. Lauman, date January 20, 1859, as Major of the First Battalion of Iowa Volunteers. Signed at Des Moines, Iowa, by Ralph P. Lowe, Governor, and Jesse Bowen, Adjutant General.

J. G. Lauman, date July 11, 1861, as Colonel of the 7th Iowa Volunteer regiment. Signed Samuel J. Kirkwood, J. Bowen, Adjutant General.

J. G. Lauman, date March 21, 1862, as Brig. Gen. U. S. Volunteers. Signed Abraham Lincoln, Edwin M. Stanton, Sec'y of War.

J. G. Lauman, date March 13, 1865, as Bvt. Maj. Gen. U. S. Volunteers. Signed Andrew Johnson, Edwin M. Stanton, Sec'y of War.

Confederate Flag—Red, white and red, captured by Iowa troops. (Captured in the Fort. The troops at Ft. Donelson either destroyed or secreted their flags, as none could be found.—J. G. L.)

Contract—Between J. G. Lauman as agent for the State of Iowa, and Linsley Teedrick, for feeding and lodging troops. Date April 23, 1861, at \$2.25 per week.

Court Martial Proceedings—Reviewed by General Lauman—printed. Gen. Ord. No. 24, Hdqrs. 4th D. W. 16th A. C. Memphis, Tenn.

Epaulettes.

Field Maps—Memphis, Perrine's pocket map, illustrating the seat of war.

Gauntlets—Dress gauntlets, white kid.

General Order No. 60—Adj. General's office, Des Moines, Jan. 8, 1862. Signed N. B. Baker. Printed.

Hat Ornament—U. S. in wreath.

Hat Plumes—Three double, black plumes.

Knives—Hunting knife, present from Gen. Rawlins (Grant's chief of staff). Pocket knife, tortoise shell, marked J. G. Lauman, present from Gen. W. Q. Gresham.

Minie balls and buck and ball from Shiloh.

Newspaper—"Lauman's Own," Vol. 1, No. 1 (copy), printed and published by men of the 7th Iowa Infantry while at Ironton, Mo.

Pass—J. G. Lauman and staff, Vicksburg to Natchez, Sept. 26, 1863.

Permission—To J. G. Lauman to send shotgun north. Office Pro. Marshal, Memphis, Tenn. Jan. 13, 1864. Signed Geo. A. Williams, Capt. 1st U. S. Infantry, Provost Marshal.

Photographs—Barnes, Lieut. Thos. N., A. D. C.

Bronze tablet, "Return of the Victorious Troops," on Iowa Soldiers' and Sailors' Monument at Des Moines; photos not mounted.

Grant, General.

Gumbart, Capt. G. C., Artillery.

Lauman, General, at Memphis; in General's uniform; with staff—separate photos, autographed (3).

Logan, General.

Logan, Colonel, 32d Ill. Infantry.

McKee, Major Geo. C., 11th Ill. Infantry.

McPherson, General.

Mattheis, General.

Meade, General.

Pugh, Col., and staff, 41st Ill. Infantry.

Wallace, Gen. W. H. L.

Webster, General.

Unidentified (2).

Daguerreotype—Charles S. Sherman, Private Co. E, 7th Iowa Infantry of Keokuk, Gen. Lauman's orderly, known among the soldiers as "Old Beauregard;" standing.

Picket Plat—4th Div., Holly Springs, Jan. 7, 1862; ink sketch, signed Horatio H. Virgin, Maj. 33d Wisconsin Volunteers, Officer of the day.

Prayer Book—General Lauman used this throughout service and read burial service from it over our soldier dead; autographed. Descriptive note by Mrs. Lauman.

Reports—Morning report, 7th Iowa Infantry, Benton Barracks, November 26, 1861.

Revolvers—(2), captured at Ft. Donelson, replacing those lost at Belmont.

Four-shot Derringer, Sharps handle engraved "James M. Porter."

Presented to Gen. Lauman's elder son, Charles N., opposite Island No. 10, on the way up the Mississippi from Memphis during the war. Porter was 2d Lieut. Co. H, 2d Iowa In-

fantry. "Oct. 3-4 Corinth—received 6 wounds but would not leave the field." "Promoted 5th Sergt. from Private for good conduct on the field."—Adj. Gen. Reps. Iowa.

Rowels, Mexican—Present from General Rawlins.

Saddle Cloth—Regulation U. S. Border, Colonel's eagle surmounted by star of General.

Saddle Cloth Ornaments—Probably used before U. S. Reg. prescribed plain gilt bands,—oak leaves, eagles, etc.

Scabbard—Nickel.

Shell—Piece of shell from Shiloh.

Shoulder straps—Brigadier General's, 1 pair.

Sharpshooter's or Squirrel Rifle—Captured at Shiloh, given to Charles N. Lauman.

Spurs—Gilt, present from General Grant.

Sword and Scabbard.

U. S. Shield—Bone, small, colored, made by soldier in Libby prison.

COPY OF MILITARY ESCUTCHEON OF BREVET MAJOR GENERAL JACOB GARTNER LAUMAN, U. S. VOLUNTEERS.

Col. Seventh Iowa Volunteer Infantry, July 14, 1861.

Brigadier General U. S. Volunteers, March 21, 1862.

"For conspicuous gallantry at Fort Donelson."

Brevet Major General U. S. Volunteers, March 13, 1865.

"For gallant and meritorious services during the war."

SERVICE.

Organizing regiment at Burlington, Iowa, June-July, 1861.

Mustered into U. S. service, July 24, 1861.

Ordered to St. Louis, Mo., August 6, stationed at Jefferson Barracks, Pilot Knob, Ironton, Cape Girardeau, Jackson, Norfolk and Birds Point, Mo.—Cairo, Ill.—Fort Holt, Mayfield Creek, Camp Crittenden and Fort Jefferson, Ky.

Assigned to Second (Oglesby's) Brigade, District of Southeast Missouri, October 14.

Expedition to Belmont, November 6 and 7.

Battle of Belmont, November 7.

Severely wounded by musket ball in thigh. Absent on account of wounds till January, 1862.

Reported for duty at Benton Barracks, Missouri, January 1, 1862.

Demonstrations against rebel defenses at Columbus and Fort Henry, Tenn., January 10-22.

Third Brigade, Second Division, District of Cairo, February 1, 1862. Tennessee Campaign, February—April. Operation against Fort Henry, February 2-6.

Capture of Fort Henry, February 6.

Commanding Fourth Brigade, Second Division, District of West Tennessee, February.

Investment of Fort Donelson, February 11-16.

Capture of Fort Donelson, February 16.

Temporarily in command of Second Division Army of Tennessee, March.

Assigned to command of Third Brigade, Fourth Division Army of Tennessee, April 5.

Battle of Shiloh, April 6-7.

Assigned to command of First Brigade, Fourth Division Army of Tennessee.

Siege of Corinth, Miss., April 30-May 30.

Pursuit to Booneville, march to Memphis, duty along Memphis and Charleston R. R., with headquarters at Bolivar, Moscow, and Memphis, till October.

Commanding expeditions to Grand Junction and LaGrange, September 20-22.

Near Middleton, October 4.

Battle of the Hatchis or Metamora, October 5.

To Memphis and assigned to command of Sixth Division, right wing, Army of Tennessee. Grant's Central Mississippi Campaign operating on Mississippi Central R. R. from Bolivar to Coffeeville, Nov.-Dec.

Commanding Fourth Division, Sixteenth Corps from December 24, 1862.

In command of line Memphis and Charleston R. R. from Mexico to Colliersville, headquarters at Memphis, till March 9, 1863.

Duty at Memphis till May.

Ordered to join Grant's forces in rear of Vicksburg.

Seige of Vicksburg, May 25-July 4.

Bolton's Ferry, July 5-6 (Big Black River), Clinton, July 8.

Jackson, July 9-12.

Placed on waiting orders till November.

Ordered to Philadelphia for duty as Provost Marshal, November 23.

Relieved and ordered to report at Memphis to General Sherman, commanding Department of Tennessee, December 7.

Placed on waiting orders at Burlington, Iowa, January 13, 1864.

Mustered out August 24, 1865.

Died February 9, 1867.

GREAT ICE AGES IN IOWA.

From a scientific angle the enlargement and improvement of the Capitol grounds promises to give prominence to a

unique circumstance in the history of our State. Because of the fact that one of the now most famous soil-sections in the country will be completely destroyed, it is worthy of special record at this time to note the bearing which this soil-exposure has had on the establishment of one of the great geologic generalizations of the century, and the part which one of Iowa's most distinguished sons played in this singular scientific achievement.

This great geologic discovery, made within the borders of our State, with its world-wide interest, relates to the conclusive evidences obtained for the first time pointing to the complexity of the Glacial epoch, or to a succession of Great Ice Ages instead of only a single one as was generally held to be the case. Around this question centers one of the most bitter and prolix of controversies.

In former allusions to the subject the arguments for a dual Glacial period, and at the time of its proposal for a multiple Ice age, were based mainly upon the fact of the presence in some till-sections of thin black soil-streaks, replaced here and there by thick peat-beds. That there might be extensive interglacial sands or clay deposits was not thought of. Yet these very phenomena were actually recorded and fully described a full decade prior to the time when their true significance was pointed out. Such an inter-glacial deposit, sharply intercalated between two wide-spread till-sheets, is the one on Capitol Hill in the city of Des Moines, described in detail by the late W J McGee in 1882. It seems to be the first instance ever recorded the stratigraphic relations of which were unmistakable.

The spot where the depositional proofs of the complexity of the Glacial epoch were first obtained is for several reasons of unusual interest. The section, originally well displayed, is now fast disappearing. It is also this section which later gave the first intimation of the eolian origin of the American loess-loams. It is here that was found the first clue to the wonderful interlocking of the continuous southwestern loess deposit with the northeastern glacial tills. This locality

bids fair long to remain one of the classic geological localities of the continent.

At this time and at this distance there are few of us who have any adequate appreciation of the great difficulties which the problem once presented. Still fewer of us there are who understand from direct experience what it really means actively and determinedly to contend on the battle-line of the unknowable. By one in position best to know intimately the intricacies of attempting to decipher the glacial puzzles of that day the procedure, so far as it concerns Iowa, is thus graphically stated:

. . . in the solution of the problem it is necessary to do more than assume the existence and action of a great sheet of ice hundreds or thousands of feet in thickness and hundreds or thousands of miles in extent. In order to explain the sum of the phenomena it is necessary to picture the great ice sheet not only in its general form and extent, but in its local features, its thickness, its direction and rate of movement over each square league, the inclination of its surface both at top and bottom, and the relation of these slopes to the subjacent surface of earth and rock; and all this without a single glacial stria or an inch of ice polish, save in one small spot, in the whole tract of 16,500 square miles. It is necessary to conceive not only the mode of melting of the ice at each league of its retreat, but also every considerable brook, every river and every lake or pond formed by the melting, both at its under surface and on its upper surface; it is necessary to restore not only the margin of the mer de glace under each minute of latitude it occupied, but, as well, the canons by which it was cleft, the floe-bearing lakes and mud-charged marshes with which it was fringed, each island of ice, and each ice-bound lake formed within its limits. And it is not only necessary to reconstruct the geography of a dozen episodes, as does the anatomist the skeleton from a few bones, but to develop a geography such as civilized eye has never seen, and which could exist only under conditions such as utterly transcend the experience of civilized men. All this has been done. The trail of the ice monster has been traced, his magnitude measured, his form and even his features figured forth, and all from the slime of his body alone, where even his characteristic tracks fail.⁷

The now famous geologic section under consideration is situated on the crest of Capitol hill, at the south end of the State Capitol grounds. As originally described in the *Ameri-*

⁷11th Annual Report, U. S. G. Survey, p. 200.

*can Journal of Science*⁸ the exposure of deposits presents the following relations:

	Feet
5. Till, light reddish bluff clay, with pebbles.....	7
4. Till, contorted and interstratified with loess.....	5
3. Loess, with numerous fossils	15
2. Till, dark red clay, with abundant pebbles.....	6
1. Shale (Carbonic) exposed	10

The important features especially to be noted are that: (1) The lower till (No. 2) represents what is now called the Kansas drift, which was formed when the great continental glacier reaching southward to St. Louis and Kansas City, attained its greatest extent and thickness; (2) the loess members (Nos. 3 and 4), composed of fine loams, constitute the soil formations during a long interglacial epoch when the climate was not very different from what it is at the present day; and, (3) the upper till (No. 5) represents what is now known as the great Wisconsin drift-sheet.

At the time when these observations were made (1882), as already indicated, the possible complexity of the Glacial period was not yet even surmised. Possibilities of a second Glacial epoch were only vaguely being considered. The prolix and bitter controversy on the duality versus the unity of the Glacial period was just beginning. Under these circumstances it is not at all surprising that some of the facts were partially misinterpreted, and that their true significance was for a considerable time overlooked. Then, too, the prevailing theory of the origin of the loess tended to obscure the proper understanding of the accurately recorded data.

Notwithstanding the fact that McGee was inclined at the time to attach rather slight importance to his observations, and to regard the phenomena as indicating mere local advance of the ice-sheet, it soon became manifest that the two till-sheets separated by a thick loess formation was unimpeachable testimony in support of two distinct and great ice movements within what was previously regarded as a single one. So far as is known this appears to be the first and most im-

⁸American Journal of Science, v. 24, pp. 202-23.

portant recorded evidence showing conclusively the complex character of the Ice age.

Of similar import was the somewhat later description of a great drift section several miles farther south on the Des Moines river. In a paper read before the Iowa Academy of Science in 1890, it was shown that there was still another thick member to be reckoned with below the loess. In later years the officers of the State Geological Survey have been inclined to regard it as representing the pre-Kansan Aftonian beds.

The Capitol Hill section is now one of the notable drift localities in America. During the past quarter of a century the place and vicinity have been visited by many of the most eminent scientists of the world.—C. K.

LETTERS CONCERNING GEN. J. G. LAUMAN.

The collections of the Historical Department of Iowa of war mementoes, writings and books, promise richest returns to descendants of the soldiers and to the students of their times. Much of the meaning of one life is gleaned from materials contemporary with that life, recently received from different sources.

Elsewhere is presented a list of the materials illustrative of the life and services as a soldier, of Brevet Major General Jacob G. Lauman. Almost simultaneously there arrived from Mrs. Ann Govey, Pleasant Plain, Iowa, a fine collection of family letters, very rich in genealogical and Civil war materials. One of these, in cramped hand and heavy pencilled lines reads:

Benton Barax, Jan. the 2.

Dear Brother:

I sit down to write to you to let you know how we are getting along. . . . Colonel Lauman returned the other day. You better believe the boys gave three rousing cheers, after which the Colonel stepped forward and told them that they behaved themselves nobly at the battle of Belmont and he expected before long that they would have a chance to see what the balance of the regiment was made of. You see that he thinks a good deal of his men. He is lame and has to have help to get around.

THOMAS B. ATWOOD.

Admiration for the Civil war service of any man, implies an interest in the earlier and later phases of his life. Four years brilliantly spent implies other years of fruitfulness. It is interesting, then, to have received from a source remote from the repositories of information concerning General Lauman's military merit, a simple commercial statement as follows:

Burlington, November 1, 1852.

Mr. John Gowey

Bo't of J. G. Lauman & Bro.,

1 keg 8d nails	\$ 4.50
50 lb. 6d nails	
50 lb. 4d nails	
10 lb. 10d nails	
10 lb. 10d Brads—120 @ $4\frac{1}{2}$	5.40
7 thumb latches @ 15	1.05
10 pr. hinges @ 10	1.00
1 gro. screws	.35
3 knob latches @ 35	1.05
2 boxes 8x10 glass @ 1.75	3.50
1 sack salt	2.25
1 lb. tobacco	.25
3 gals. S. H. molasses @ 50	1.50
	\$20.85
1 hand saw	1.50
2 M S files @ 45	.90
5 yd. flannel @ 45	2.25
1 pr. boots	3.00
1 lb. tea	.88
1 hand saw file	.10
	\$29.48
3 lb. saleratus	.25
	\$29.73

Rec'd payment,

J. G. LAUMAN & BRO.

NOTES.

The Historical Department of Iowa has received from the Iowa State College of Agriculture and Mechanic Arts, Ames, Iowa, through the generosity of an alumnus of that institution, Mr. C. W. Dietz, a very fine photograph of the campus and buildings, appropriately framed. From this can be obtained an accurate idea of the effective landscaping of the grounds and placement of the beautiful buildings. Iowa State College holds place among the leaders of the present day in landscape improvement.

Mrs. George Harpel of Des Moines has presented to the Historical Department a collection of over forty Lincoln pictures. This collection was made during a period of years and covers every phase of Lincoln's life. Some of them are copies of original paintings and others copies of drawings, one of which is a characteristic sketch by Thomas Nast.

Mr. Thompson Van Hynning, formerly the museum director of the Historical Department of Iowa, has recently been appointed librarian of the Experiment Station, and director of the museum of the Florida State University. His address is Florida State University, Gainesville, Florida.

The growing interest of the day along historical lines was manifested by the Pageant of Des Moines History, 1673-1914, which was presented by the senior class assisted by the student body of the East High School at Grand View Park, Des Moines, May 15, 1914. This pageant was prepared and directed by Miss Esse V. Hathaway, assisted by the members of the East High faculty. The beautiful natural amphitheater embracing the necessary features of wood, water, hillside, road and plain, furnished an appropriate setting. The history of the city was portrayed in the following six episodes:

1. Symbolic nature-setting of Des Moines, interpreted by the spirit of the hills, spirit of the fields, march of the monks and dance of the river spirits.

2. Indian life, illustrated by Indian scenes and music.
3. Settlement life, 1843-49, illustrated by groups of soldiers, squatters, settlers, vigilance committee, etc.
4. Civil war, illustrated by citizens' mass meeting, call for volunteers, drills, flag raising, soldiers relief work, etc.
5. Period of development, illustrated by laying of first railroad, building of capitol and symbolical interpretation of educational features.
6. Des Moines of today, illustrated by procession of representative peoples and commercial interests.

The ceremony installing a portrait of Martin Luther in the Historical Department of Iowa was performed Sunday, May 10, 1914. The portrait, by Olof Grafström, was presented by the Lutherans of Iowa who gave the following program:

Chief Justice Scott M. Ladd, Presiding.

Praise Ye the Father.....*Gounod*
Lutheran Grand Chorus

Invocation.....Rev. C. E. Butler

Historical Outlines

Swedish Lutherans in Iowa.....Rev. Jos. A. Anderson

German Lutherans in Iowa.....Rev. H. Flentje

English Lutherans in Iowa.....Rev. A. B. Leamer

Danish-Norwegian Lutherans in Iowa.....Rev. N. G. Peterson

Solo—"Thus saith the Lord".....*Handel*

Recitative and aria from The Messiah

Carl Norrbom

Address.....Gustav Andreen, Ph. D.
President Augustana College, Rock Island, Illinois

The Heavens are Telling—From The Creation.....*Haydn*
Lutheran Grand Chorus

Presentation of Portrait.....Rev. Chas. W. Voss
President Des Moines Lutheran Pastors' Association

Unveiling Helen Adelaide Leamer

A Mighty Stronghold is Our God.....*Luther*
Chorus and Audience

Acceptance of Portrait.....Edgar R. Harlan
Curator Historical Department of Iowa

Benediction
America

Chorus and Audience

We hope to publish the historical outlines of the pioneer work in Iowa.

Olof Frithiof Grafström, the artist who painted the Martin Luther portrait presented to the Historical Department, is a native of the Province of Medelpad in northern Sweden, and was born June 11, 1855. His family has given two poets of renown to Sweden. As a boy he was destined by his parents to be a farmer and after attending the common schools was sent to the high school at Näfsta for further education. Here his talent for drawing and sketching was so marked that his parents were prevailed upon to let him devote himself to the career of an artist. At the age of nineteen years he was enrolled in the Academy of Fine Arts at Stockholm and among his contemporaries were the noted painters Zorn, Liljefors, Bergh and Tiren. He graduated with the class in painting in 1882.

Mr. Grafström soon became famous for his landscapes of northern Sweden, one scene in Qvickjock valley being purchased by King Oscar II. In 1886 he emigrated to the United States and located in the West, first in Portland and later in Spokane, and his paintings of the scenery of that region soon became as much sought after as those of Sweden. In 1890 he won a silver medal awarded at an annual exhibition held in Portland.

In 1893 Mr. Grafström became the head of the art school connected with Bethany College, Lindsborg, Kansas. Four years later he accepted a similar position at Augustana College, Rock Island, Illinois, and his influence upon the Swedish-American art of this country has been marked. He is particularly noted for his landscapes in oil, but is also a portrait painter and a skilful artist in pastelle, water color, pencil and pen and ink.

PORTRAIT OF GEN. GRENVILLE M. DODGE.

One of the most valuable items of the Gen. Grenville M. Dodge Collection in the Historical Department of Iowa is the equestrian portrait of General Dodge as he appeared as Grand Marshal of the Day on the occasion of the dedication of the tomb of Gen. Ulysses S. Grant in New York, April 27, 1897. The artist, Charles A. Whipple, ranks among our best American painters. This painting, 7 ft. 2 in. in width, by 9 ft. 10 in. in height, in massive gold frame, was presented with a resolution, to General Dodge by members of his staff and aides-de-camp. The resolution is as follows:

MAJOR GENERAL GRENVILLE M. DODGE.

Whereas,

On the 27th day of April, 1897, the tomb of
General Ulysses S. Grant

was completed and formally transferred to the City of New York, his remains having first been reverently and appropriately enshrined within; and

Whereas, the people of the country as well as of the City and State adopted that event for an outpouring of patriotic veneration to be displayed by participation of their President and Cabinet, their Governors, chief magistrates, veterans—by tens of thousands—and representative bodies of the army and navy, with entire divisions of the militia of adjacent states, and lesser bodies from a distance, uniting with the multitude at home in the ceremonial transfer; and

Whereas, the prospective assemblage of a concourse so honorable and so vast, upon so august an occasion, demanded for its management the prescient care and supervision of a marshal who should be himself identified with that which was commemorated, with personal history adequate to the dignity of the review and capacity insuring a well-ordered progress, and

Whereas, MAJOR GENERAL GRENVILLE M. DODGE, was lately a Corp Commander in the Army of the Tennessee, afterwards Chief of Location and Construction of the Union Pacific Railroad, and is now Commander in New York of the Military Order of the Loyal Legion, and President of the Society of the Army of the Tennessee; and, whereas,

GENERAL DODGE was not only during the late war a much-prized comrade and associate of General Grant, but to the end of his life enjoyed the same relation to that great commander, while his civil achievements meantime have shown that his mastery of men continues unimpaired; and



Portrait of Gen. G. M. Dodge, reproduced and used by the Iowa Society of New York
 Third Annual Banquet, March 21, 1908.

Whereas, the result of his selection as Grand Marshal has been that every incident of the great event befitted the occasion, that it transpired without mistake or accident, and with features that have helped to glorify and strengthen loyalty and patriotic confidence; and

Whereas, it was our privilege as members of his staff and aides-de-camp to share with him the task and the achievement, and to enjoy and appreciate that fellowship and service; in commemoration of which we have caused his portrait to be painted, in order that it might be presented to him, to remind him of our regard and to perpetuate his likeness;

Therefore, be it resolved, that we, the undersigned, members of the staff and aides-de-camp to Major General Grenville M. Dodge, Grand Marshal and Master of Ceremonies, at the formal transfer to the City of New York, on the 27th day of April, 1897, of the tomb in which are enshrined the remains of General Ulysses S. Grant,

Do hereby present to him the accompanying portrait of himself, and beg that he will accept it with this expression of our esteem.

Frank C. Loveland, Chairman
Richard E. Cochran, Treasurer
A. Noel Blakeman
Alphonse H. Alker

Edward H. Ripley
Charles N. Swift
William Hemstreet
Francis M. Gibson

Committee.

Francis R. Appleton
Alva B. Adams
James Allen
E. E. Alcott
Daniel Butterfield
George De F. Barton
Frederick Brackett
W. Butler Beck
Robert B. Baker
Abbott Brown
C. G. Bacon, Jr.
Nathan Bickford
Henry Birrell
R. E. Burdick
Ashley W. Cole
Francis J. Crilly
William F. Cody
John Crane
Elisha K. Camp
P. F. Collier
C. H. T. Collis
A. M. Clark

John H. Cook
E. H. Conklin
Henry O. Clark
H. C. Corbin
Charles Currie, Jr.
William H. Cummings
H. H. C. Dunwoody
J. L. De Peyster
Ernest A. Des Marets
Nicholas W. Day
John B. Doherty
A. E. Drake
Richard Deeves
Frank S. De Ronde
John W. Donovan
Stuart Duncan
Fitz Hugh Edwards
R. D. Evans
Dudley Evans
Charles W. Fuller
F. Farnsworth
John P. Faure

W. N. Goddard	J. VanVechten Olcott
A. H. Goetting	J. C. O'Connor
Joseph Hayes	John N. Partridge
Colgate Hoyt	G. F. Perrenaud
Thomas L. Watson	F. A. Plummer
J. O. Woodward	J. Fred Pierson
A. F. Walker	H. T. Pierce
Paul Hargreave	James Parker
George F. Hinton	H. T. Priver
F. C. Hollins	Edward Rascovar
C. R. Hickox, Jr.	George S. Redfield
Charles F. Homer	Oscar L. Richard
DeReyter Hollins	Henry C. Rhoades
William E. Horton	Charles F. Roberts
Charles E. Heuberger	T. F. Rodenbough
E. B. Ives	William Cary Sanger 2nd
L. C. Ivory	G. A. Stanton
James Jourdan	Nate F. Salisbury
John W. Joyce	William J. Sewell
John A. Johnston	Henry L. Swords
F. A. Juilliard	Charles H. Sloat
Henry P. Kingsbury	H. T. Stanciliff
Bryan L. Kennelly	Henry C. Swords
Theodore F. Kane	F. W. Seagrist, Jr.
Horatio C. King	Joseph H. Stoppani
John Winthrop Loveland	M. Standish
Edson Lewis	W. R. Spooner
A. W. Lillenthal	A. W. Swalm
Ferdinand Levy	J. C. Shotts
Phillip B. Low	W. H. Stratton
J. Howard Leman	George T. Steinberg
Louis Wendell	A. F. Schermerhorn
B. H. Warner	Frederick A. Starring
John G. Wintjen	J. R. Sheffield
F. H. Lord	Ivan Tallof
Charles Sumner Lester	Albert Tilt
George R. Manchester	C. W. Tillinghast
C. F. Meek	Aaron Vanderbilt
F. W. Mix	W. E. Van Wyck
J. W. Miller	Alfred E. Watson
C. B. Morris	W. D. H. Washington
H. W. McVicker	E. L. Zalinski
John S. McDonald	

NOTABLE DEATHS

JOHN FORREST DILLON was born in Montgomery county, New York, December 25, 1831; he died in New York City, May 5, 1914. He removed with his parents to Davenport, Iowa Territory, when six years of age and attended private school in that place. When about seventeen years old he began the study of medicine in the office of Dr. Egbert S. Barrows of Davenport, attended one course of lectures in the Rock Island Medical School at Rock Island, the original of the Keokuk College of Physicians and Surgeons, and a second course at Davenport to which the school had removed. He graduated with the degree of M. D. in 1850. After a few months' experience at Farmington, Van Buren county, he found that the practice of medicine was physically impossible for him under the conditions of those days, and took up the study of law. He was admitted to the bar of the district court in Scott county in 1852, and the same year was elected prosecuting attorney for that county. In 1858 he was elected judge of the district court for the Seventh District, served the six year term and was re-elected for a second term. The year following he was nominated by the Republican party for judge of the Supreme Court, received the election and served six years. After his re-election for a second term, but before he had qualified, he received from President Grant the appointment of U. S. circuit judge. This office he held until 1879 when he accepted the professorship of law at Columbia University, and removed to New York City, maintaining his residence and practice there until his death. He resumed private practice in 1882. His remains were interred in Oakdale Cemetery at Davenport on May 9th. He was the author of Dillon's Municipal Corporations, which is regarded as a legal classic and of numerous other books on legal subjects. A memorial to his wife, Anna Price Dillon, was published by him for distribution among her friends. He was an orator of repute and delivered many celebrated addresses and orations. A biographical sketch of Judge Dillon by Hon. Edward H. Stiles may be found in ANNALS OF IOWA, vol. IX, nos. 2 and 3.

GEORGE DOUGLAS PERKINS was born in Holly, Orleans county, New York, February 29, 1840; he died at Sioux City, Iowa, February 3, 1914. When he was but a small child, his father, on account of ill-health, removed his family first to Indiana and then to Milwaukee for short stays, finally settling in Baraboo, Wisconsin, where he died in 1852. Here George D. Perkins passed his boyhood, working on a farm and in his brother's printing office and helping in the support of the family as he could. He acquired a fair English education in the common schools, to which by systematic application and employment of his leisure hours he added a thorough knowledge of the principal branches taught in the academies and colleges of those days. History, particularly of his own country, logic, English literature and the practice of English idiom especially received his attention. In 1860 he removed to Cedar Falls, Iowa, where with his brother he published the *Cedar*

Falls Gazette. On August 12, 1862, he enlisted in Company B, Thirty-first Iowa Infantry, but on account of an almost mortal illness he received honorable discharge in January, 1863. He returned to Cedar Falls and the publication of the *Gazette* until 1866, when, with his brother he went to Chicago and opened a gummed-label house, the first venture of that kind of any importance in the country. He also acted as agent of the Northwestern Associated Press which served the daily papers in Illinois, Iowa and Nebraska. In 1869 he disposed of his interests in Chicago and upon the advice of L. D. Ingersoll, pioneer editor of the *Muscatine Journal*, removed to Sioux City and bought the *Sioux City Journal*. His brother soon followed, and on April 19, 1870, they began the publication of a daily. As editor of the *Journal* from that date until his death, Mr. Perkins attained high rank among the leading journalists of the day. His editorials were marked by candor, fairness, probity and clear and dispassionate conclusions, but when in controversy were keen and conclusive. He insisted upon a veracious presentation of news in his paper and the separation of matters of opinion from matters of fact. Mr. Perkins was not only a great editor but a public-spirited citizen, serving his city, state and country with unflinching interest and noteworthy ability. He was state senator in the Fifteenth and Sixteenth General Assemblies, commissioner of immigration for Iowa from May 1, 1880, to May 1, 1882, and United States Marshal for the northern district of Iowa from 1882 to 1885. He was elected representative in the Fifty-second Congress and re-elected three times, his full term of service being from 1891 to 1899. He was delegate at large from Iowa to the Republican national conventions of 1876, 1880, 1888 and 1908.

CHARLES A. CLARK was born in Sangerville, Maine, January 26, 1841; he died at Cedar Rapids, Iowa, December 22, 1913. Descended from Hugh Clark, who settled at Watertown, Mass., in 1640, he was educated in the common schools of Sangerville and at Foxcroft Academy. He began teaching at the age of fifteen years continuing until the outbreak of the civil war. He was one of the first to answer President Lincoln's call and enlisted from Foxcroft in Company A, Sixth Maine Volunteer Infantry on April 24, 1861. He remained with this regiment, participating in most of the principal engagements of the army of the Potomac, until February 1, 1864, when he was honorably discharged because of wounds. In March he re-entered the service as Captain and Assistant Adjutant General for staff duty with his old commander, Colonel Burnham, and continued in this capacity until the close of the war. He was brevetted Lieutenant Colonel for bravery at Rappahannock Station, and years later was awarded a congressional medal by the War Department for bravery at Marye's Heights, Virginia, on May 4, 1863. When the war was over, Colonel Clark returned to Bangor and began the study of law. In 1866 he removed to Webster City, Iowa, as the attorney of John I. Blair, who was building what is now the Illinois Central Railway from Iowa Falls to Sioux City. Colonel Clark removed to Cedar Rapids in 1876 and established a law practice that continued and grew until his death. He was associated at various times with Judge N. M. Hubbard, C. J. Deacon and F. F. Dawley, under the firm styles of Hubbard, Clark and Deacon, later Hubbard, Clark and Dawley, the latter firm dissolving in 1886, Colonel Clark continuing the practice alone until joined by

his son James Clark in the association that continued while the father lived. Colonel Clark never held office, but was never indifferent to politics. He was a Republican until 1872 when he supported Horace Greeley, then a Democrat, until 1896 when he supported William McKinley upon the stump. He remained a Republican thereafter. As one of the leading lawyers of Iowa, he was either in charge, or of counsel in many noted cases including the Bever will case, the Jones county calf case, the American Emigrant cases involving swamp land titles of great aggregate value. He was commander in 1906 of the Iowa Department of the G. A. R. He was a scholar and a cultured, able speaker.

JOHN FLETCHER LACEY was born at New Martinsville, West Virginia, May 30, 1841; he died at Oskaloosa, Iowa, September 29, 1913. He attended the public schools at Wheeling, and after removing with his family to Oskaloosa in 1855, attended select schools there. He began the study of law in the office of Hon. Samuel A. Rice but at the outbreak of the war enlisted as a private in Company H, Third Iowa Volunteer Infantry, and was soon made Corporal. At the battle of Blue Mills Landing, Missouri, he was taken prisoner. Being paroled and discharged from the service by reason of the President's order, he returned home and resumed his law studies. Responding to the call of 1862 for additional volunteers, he again enlisted as a private in Company D, Thirty-third Iowa Volunteer Infantry, Col. Samuel A. Rice commanding. He was promoted to Sergeant Major and later commissioned First Lieutenant of Company C, and served several months as Acting Adjutant. After the death of General Rice he was assigned to duty on the staff of General Steele with the rank of Captain and Assistant Adjutant General of volunteers. He participated in the Mobile campaign, the battles of Little Rock, Helena, Prairie D'Anne, Jenkins Ferry and other engagements and served as Assistant Adjutant General of the Army of Observation on the Rio Grande river. He was mustered out of service September 13, 1865, with the rank of Brevet Major. Soon after his return to Oskaloosa he was admitted to the bar and in 1869 was elected Representative from Mahaska county to the Thirteenth General Assembly, serving one term. He was appointed city solicitor of Oskaloosa and later was a member of the city council. He was elected to the Fifty-first Congress in 1888 and served with the exception of one term until 1907. During this time he was for twelve years chairman of the public lands committee. He prepared and secured the passage of a bill for the protection of the lives of coal miners in the territories, aided in preparing the bill which originated our system for forest reserves, introduced a bill to transfer the administration of these reserves to the Department of Agriculture, and took active part in the preservation of our great natural objects of interest and in all efforts along the line of game and bird protection. He was the author of Lacey's Railway Digest, in two volumes.

JED LAKE was born in Virgil, New York, November 18, 1830; he died at his home in Independence, Iowa, June 7, 1914. His father died when he was a small boy and he worked on a farm and drove mules on the Erie canal tow path until he had earned enough money to start in college. He had four terms in the New York Central College and two years in Homer Academy. In 1855 he

came west and settled in Independence where he maintained his residence until his death. He worked on a farm and took up the study of law. In 1859 he was admitted to the bar and began the practice. He served as Representative in the Ninth and Ninth Extra General Assemblies which arranged for taking the votes of soldiers in the field and caring for families of soldiers. In the summer of 1862 he enlisted in Company C, Twenty-seventh Iowa Infantry and was commissioned Lieutenant Colonel. He participated in many of the important engagements of the war, including Pleasant Hill, Tupelo, Nashville and the siege and capture of Fort Blakeley. After being mustered out at Clinton, Iowa, August 9, 1865, he resumed the practice of law at Independence and formed a partnership with Mr. M. W. Harmon which lasted over forty years. This firm was employed in many important cases, one of which was the celebrated "Driven Well case" which lasted nine years. This case was of national importance, and the Twenty-second General Assembly of Iowa extended their thanks to Colonel Lake for his work in a joint resolution passed February 4, 1888. Colonel Lake was presidential elector in 1888. In the winter of 1893-4 he was a member of a commission appointed by President Harrison to appraise sixty-six thousand acres of land in northern California. He was instrumental in obtaining a library building for Independence in 1894 and served as president of the board of trustees. He was councilman six years, member of the school board and of the county board of supervisors. He also served as president of a commission appointed to erect the Cherokee State Hospital and the Independence State Hospital.

JOSIAH LITTLE PICKARD was born at Rowley, Mass., March 17, 1824; he died in San Jose, California, March 24, 1914. He was the son of Samuel and Sarah (Coffin) Pickard and a descendant of John Pickard who emigrated from Rowley, England, and settled at Rowley, Mass., in 1638. He attended Lewiston Falls Academy and Bowdoin College from which he graduated in 1844. He taught in the academy at North Conway in 1844 and 1845; at Elizabeth, Illinois, in 1846; and was principal of Platteville Academy, Platteville, Wisconsin, from 1846 to 1860. He was state superintendent of public instruction in Wisconsin from 1860 to 1864 and superintendent of public schools in Chicago from 1864 to 1877. He was appointed president of the State University of Iowa in June, 1878, and served until September, 1887. During his administration the work of the departments of history and natural science was enlarged and the colleges of dentistry and homeopathic medicine were added. His varied educational experiences and broad mind made him especially valuable to the institution. After leaving the presidency he was a university lecturer for two years. He then removed to Cupertino, California, where he spent his time conducting a ranch. Dr. Pickard served for one year as president of the National Educational Association and as president of the Iowa State Historical Society at Iowa City for many years. He was the author of *School Supervision* and the *History of Political Parties of the United States*. Dr. Pickard's strong moral character influenced for good all with whom he came in contact. He desired education for the students not alone for its own sake but for the sake of life and character.

THIRD SERIES.

VOL. XI, NO. 7

OCTOBER, 1914

ANNALS OF IOWA.

A HISTORICAL QUARTERLY



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DES MOINES, IOWA

ANNALS OF IOWA

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Congregational Church erected in 1848



Methodist Episcopal Church erected in 1851

Old Places of Worship at Keosauqua, Iowa

ANNALS OF IOWA.

VOL. XI, No. 7. DES MOINES, IOWA, OCTOBER, 1914. 3D SERIES

THE WRITINGS OF JUDGE GEORGE G. WRIGHT.

HENRY CLAY DEAN.

I will endeavor to describe a minister and well-known character who settled in Van Buren county, say 1849, remained in Iowa until some time after the war and then went to Missouri, and died two or three years since. I refer to Henry Clay Dean.

Was a Virginian—Methodist minister—and when I first knew him a most active Whig in politics, though during or soon after the war of the Rebellion he became a most extreme Democrat in his political views and relations. Had several of the best appointments in the State from his conference (Iowa); was elected and served as chaplain in the United States Senate; finally left the ministry, practiced law, farmed, talked politics, lectured and speculated.

I knew him well. For one or more years he was my near neighbor. I had many reasons for the warmest feelings towards him, as he had to return the same, and yet, say in 1853 or 1854, there arose ground for estrangement, not necessary to detail (possibly both in the wrong), and after that our paths were quite divergent, socially and in every way. And yet I believe I can do him full justice.

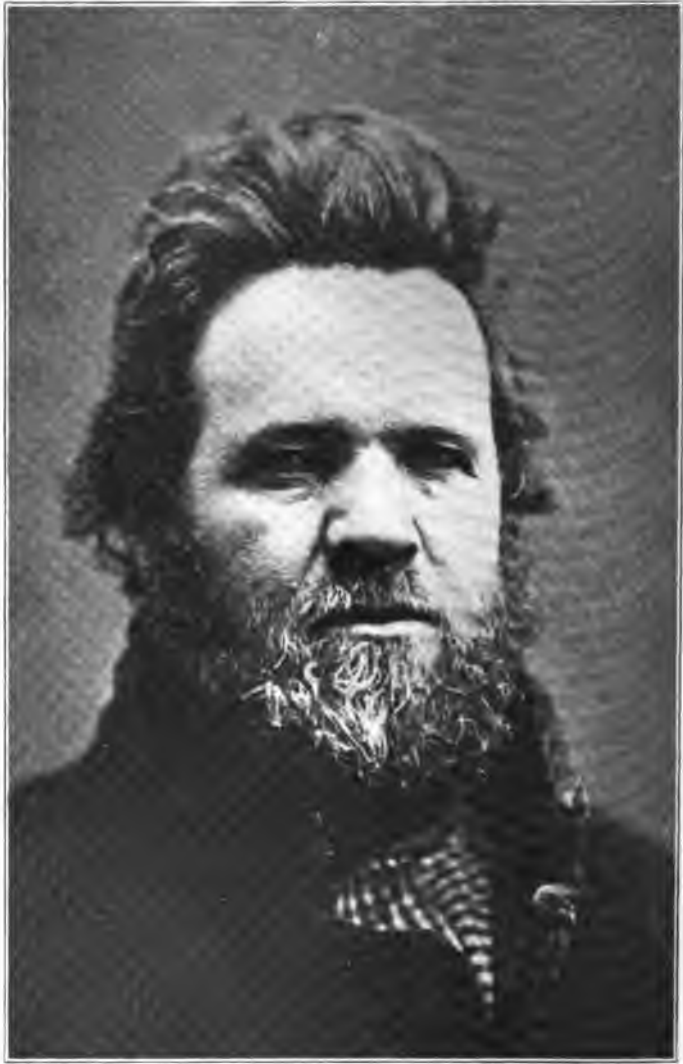
In many respects he was the most remarkable man I ever knew. Of the poorer class of Virginian—moderate education—a natural orator—ready command of words—memory most extraordinary—heavy, gross organization—utterly regardless of his dress and personal appearance—looking dirty and shabby, and this whether in the street, in the home circle or in the pulpit. Yet, taking him all in all he had as much if not more mental force for one of his strong animal nature, or gross organization, than any man I ever knew.

As illustration of his garb and personal appearance it was told that coming into the court house at Keosauqua many persons spoke to and shook hands with him, when a stranger

present inquired if they knew who he was and where he resided. His name was given with the further explanation that he hadn't any residence, and when asked why, the answer was that a man was supposed to reside where he had his washing done, and since he never had any, he hadn't any residence. The sentiment was a natural one, and I give same to show how he appeared and how he was regarded.

I have heard him preach sermons which would compare with the finest efforts of any bishop, and Oh! such sermons! You forgot the man in the divine and orator. His was a memory which could read the best authors, the most finely prepared articles, and appreciate not the thoughts alone but the very language, from apparently the most casual reading, and weeks and months afterward repeat over almost the words, certainly the thought or ideas, and with most wonderful effect. Happy in illustration—imagination the most brilliant and sparkling—ability to arouse with wonderful effect the emotional nature of an audience—strong in statement and apt in logic and application—an apparent student of the bible—with all the world of history and poetry at his command—sermons impressive and eloquent, he was ever very popular in the pulpit, and when at his best, sought for as a lecturer, a talker in any field or from any platform.

The consequence was that he drew large crowds and was noted not only in this State but elsewhere, and yet with all his power and force in the pulpit and on the platform, he was, let me say, so eccentric—so utterly regardless of the walk and manner of the Christian minister that he failed most signally in sustaining himself with his church or the best elements of society. It was often said that if he would preach his Sunday sermon and could then be locked up during the week, he would be the most popular and effective of preachers. For it was no uncommon thing for him, if not before breakfast on Monday morning, certainly soon after, to start around his town, invite opinions as to his efforts of the day before, talk politics, to go into shops, offices and stores and discuss the merits and demerits of his neighbors—praising this one and dispraising another—leaving his family to get



Your friend
Henry Clay Dean

From a photograph in the Edgar R. Harlan collection of the Van Buren County
group of famous men, Historical Department of Iowa

along as best they could—eating as opportunity offered, until you were made to feel that the minister was sunk in the loafer, almost, the man of brains and great mental power in the mountebank and gossipier.

Not that he had vices as we generally speak of them—was an eminent man (when in the ministry), but that his conduct was so out of keeping with his profession and teachings that his usefulness was greatly impaired if not, indeed, more than counterbalanced.

I have spoken of his eating. In this respect he was a gormandizer; supposed to be ready to eat all the time and more than any two ordinary men. Of full habit—heavy-set—not tall, say 5 ft. 5 in.—fleshy—big head—small hands and feet—how in view of his habits he was or could be a student I do not know. Nor do I believe he was. True, he was a great reader—reading (because of his day's work or want of work in the streets) late into the night. But his reading was not continuous or apparently as a student, but for amusement or employment. And yet he had the marvelous capacity of appropriating and being able to use what he thus read, far beyond the most patient or laborious student.

At times he was eccentric to the point of surprise and would shock you in the pulpit. Once I remember he was engaged in a most earnest and successful revival. There were dozens at the altar, and he exhorting and appealing, walking up and down the aisle. In a moment he stopped and said: "You all know that good man, our old friend, Uncle Johnny Spencer, the best man God ever made. Well, he lost his horse and wanted I should tell you of it and give you a description, etc." And thereafter, at no little length, he described the horse, when he left, how valuable he was to poor Uncle John, etc., and then turned to his praying and exhortation. The effect can readily be seen.

If not in this way, then in some other, he would astonish you by the unexpected, the unfitting and inopportune. He was vain, and loved to have his efforts applauded and praised. Said he to a friend, of an evening when engaged in a revival much as above described, and when one seeking him naturally

supposed that he was talking to him of his spiritual condition (for he certainly was not without the need of such talking)—“Gee!” said he, “What did you think of that sermon?” (the one he had just preached). “Don’t you think I got hold of and preached it well?” And such things were not uncommon.

As a lawyer he was not a success. Never studied law. In the argument of a legal proposition he was, therefore, far from being at home. To the jury, especially in a criminal case (and those he sought most), if he could get loose and go to them on the facts it can well be believed that he would be at times strong and effective. With his command of language, with imagination, power to reach the feelings and emotions, he would often succeed when the true or nicer lawyer would fail.

It is true he was sought for in the political field. But he soon lost his hold there and his later efforts added but little if any to his reputation. Several years before his death he retired to a farm in Missouri, was seldom seen—very rarely heard of in connection with the affairs of the world—and was remembered for his eccentricities, his former efforts in pulpit and on the political and lecture platform rather than from any great good accomplished or an old age great and strong as promised from his earlier years. We have had but few cases which had in them greater elements of usefulness and strength and yet more to hold down and keep back. How strange such an organization and temperament!

Speaking of Uncle Johnny Spencer recalls an incident political. He was a large man—a shouting Methodist—always responding whether in church or at a political meeting—could neither read nor write, and yet, though he died at an advanced age, had a class of small children in Sunday school for years and years. Was an old-fashioned Whig.

A friend of his, and brother in the church, and a Democrat, being a candidate, was making a speech, Uncle John one of the auditors. The candidate said with emotion that there was too much partisan feeling—that what he wanted was good men, etc.—that there were just as good, true and re-

liable and honest Whigs as Democrats, and that the same was true of Democrats. Two or three times he had repeated this, and when applied to Whigs the old man would shout, "Yes, I believe that!" but was silent when the candidate argued for the Democrats. Finally the speaker made a personal appeal to touch John for the truth of what he was saying, respecting his claims, when the response was again favorable as to the Whigs, but when it came to the Democrats, he said: "Hell, I don't know or care about that!" And the orator collapsed, and left that field or that line of argument forever.

REV. DANIEL LANE.

Contemporaneous with this strange Methodist light [Dean] was another man, of the Congregational church, in all respects as different as two men could be—who settled in Keosauqua in 1842, remained in Iowa for say forty years, and returned to his first home in Maine and died within the same year—Rev. Daniel Lane.

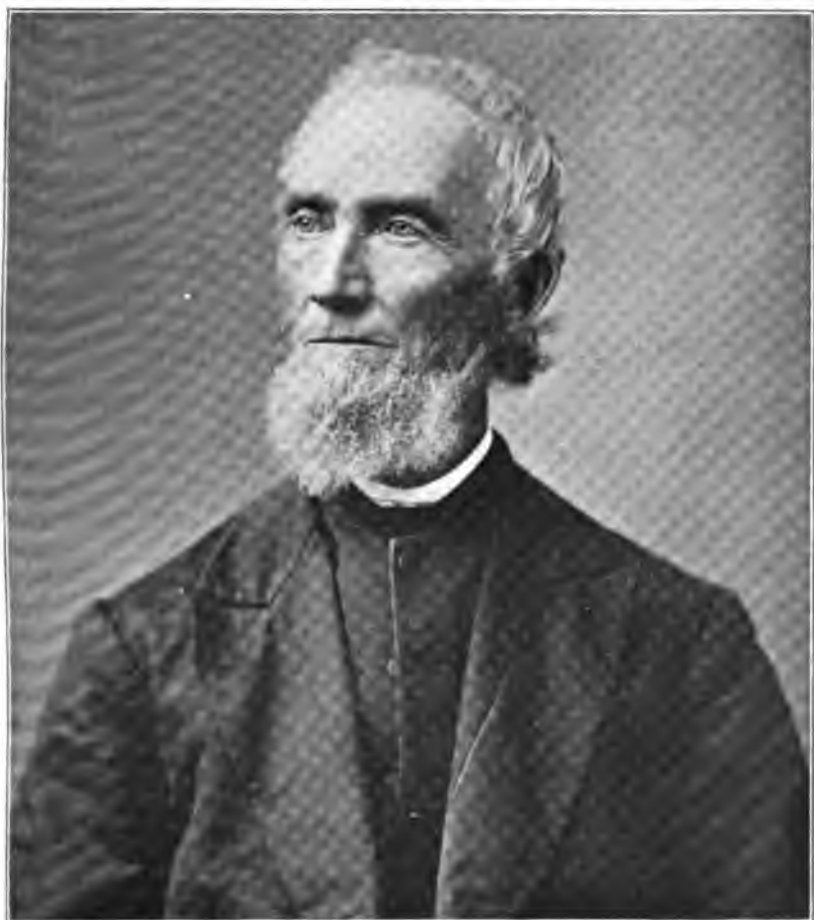
Of no one could I speak in praise with more truth nor with a more grateful spirit than of that good man, in this year of 1890 [which] is about to close (I make these notes on the last day).

Daniel Lane was one of the well-known and far-famed "Iowa Band" and had as colleagues such grand and able men as Ripley, Spaulding, Robbins, Salter, the Adamses, and others who impressed themselves upon the church history of our State and accomplished as much in the moral and educational upbuilding as any framers of any or all the professions ever in Iowa. In the prime of young manhood—coming to a new and rich territory—with possibilities equal to any North or South, East or West—just from the best schools—earnest and enthusiastic in their work—devoted to the cause of the Master—ambitious to advance their church in this new land—with such hearts, such advantages and with

such a purpose it is not strange that they as a whole and as individuals ever took the highest rank, not in their churches or territory alone, but also in all those moral and quasi if not political questions which in their new homes so prominently demanded the best efforts and best blood of the best of all denominations and professions.

I knew all these men, but Daniel better than the others—much better. He was my neighbor for years—my immediate personal and political friend, if not my pastor, since for many months, if not years, he was the one settled minister of the place—the one who preached more sermons, married more people, officiated at more funerals and was known and respected and loved and revered by all. First in the little school house, rented for private schools—then he built the first church, giving for its erection one fourth of its cost from his meager salary (about \$300 to \$500 per annum). This building has been replaced within the last two years by a modest but more elegant structure, having in it a Lane memorial window—beautiful and happy in conception and construction, furnished by the young men, some of whom hereafter mentioned, received instruction from him in a private school which he taught for years and which is never referred to but to praise and magnify his good name.

Was he a good man? If not, then there never was one in Iowa or elsewhere. His very face was a benediction. Said Henry Clay Dean in his rough and striking way, "Brother Lane—why look at his face! I would as soon think of insulting my grandmother as to hurt his feelings." And that, not because he was a negative man or one who seemed to plead exemption from wrong or insult, but because he had a face of goodness—of purity—giving out affluently all the Christian graces. Said a rough, profane neighbor of his one day, "There is not an honest, true, religious man in the place—all will take advantage of you—not one to be trusted." Said I, "Hold on! What do you say of Brother Lane?" (All churches and all people called him Brother.) "I take it all back," said he. "for he is good always to all people and I would trust him anywhere and under all circumstances." And this was but the verdict of any one who knew him.



W. P. Twombly.

From his teacher & friend.

Daniel Laines

From the collection of Captain V. P. Twombly in the Historical Department of Iowa

As a preacher he was not strong if we speak of eloquence, overpowering logic or any special power in presenting his subject. But he was so good—so mild—so genial—so earnest—so strongly felt all he said—was so constantly in all his walk and conversation a living example of the truths which he taught—had so completely the confidence of all people—and was so loved by old and young, that his ministry was most successful and he had wonderful influence in building up the church and aiding the moral upbuilding of the community. He was the good and pure man in the pulpit—on the street—in the social circle—everywhere, and hence never lowered by his habits or talk outside the effect of his pulpit efforts. In his presence—while he was far from being bigoted or anything like a recluse—or devoid of love of fun and an appropriate joke, you felt that profanity would wound—that an improper word would render heart sore and insult his pure nature, and you abstained therefore with as much care as if with the most tender mother or most elegant Christian lady. He lived what he taught and taught what he lived. I think he was as near a perfect Christian gentleman as any man I ever met.

As a minister he was for years at Keosauqua as also at Edyville and Belle Plaine in this State. He supplemented, too, his pulpit efforts with teaching here in a private school, as already stated, and after that at Davenport, in what is now the great and most successful school, Iowa College at Grinnell.

Of his pupils at Keosauqua (private school) their greatest pride is that Daniel Lane was their instructor. And to the day of his death, almost, his proudest theme was that he had been instrumental in some small degree in starting such men in life. I remember, aside from my dear boys, Thomas S. and Craig L.,—Judge Caldwell, A. J. McCrary and Felix Hughes of the Keokuk bar, S. M. Clark, the talented editor of the Gate City; Hon. B. F. Elbert of Des Moines, a member of the legislature and a leading man; Ben F. Kauffman, an attorney of Des Moines; Hon. V. P. Twombly, a most gallant soldier, holding responsible office in Van Buren county and for six years State Treasurer, leaving the office, July, 1891,

with the confidence and respect of all the people of the State; W. W. Baldwin, attorney and land commissioner of the Chicago, Burlington & Quincy Railway, of Burlington; Governor E. O. Stanard of Missouri, the late Rutledge Lea, a leading attorney and politician of Keosauqua; Winfield Mayne of Council Bluffs, and others might be added. But these are sufficient to show the good work done and what just cause they have for gratitude to him as a teacher and he for pride in such scholars and men. Find if you can another instance in this western world, in the early days, of a small private school sending out so many men of whom the instructor, the State and the nation even, may feel so justly proud.

Well might Brother Lane, in all the humility and simplicity of his nature, refer to them and say, "I am proud of my boys." And such was their affection for him and his ever true and Christian helpmate, that I hazard nothing in saying that never even to the day of his death would they have avoided for anything to contribute to his or their comfort if in their power, even to the extent of the last farthing—to supply it. They loved him as children, he them as a father. His life was emphatically given to good works.

He lived to a good old age. If, by possibility, there was any—the least ill feeling between the other members of the Iowa Band, it never extended to Daniel. He was the chosen, the loved, the almost worshipped one of the flock. His name to this day in his old home is a household word for all that is good in example or excellent in person or instruction. Such a life is better than all riches. What a world—how far from evil—we would have if all men were Daniel Lanes.

I need not say that Iowa owes him much—as much almost as any man who ever made her soil his home.

JOHN I. BLAIR AND HIS ASSOCIATES IN RAILWAY BUILDING IN IOWA.

By B. L. WICK.

Of the many men who invested largely in railway enterprises in Iowa, John Inslee Blair, of Blairstown, New Jersey, was one of the first in the field and the heaviest investor. He was born at Belvidere, New Jersey, August 22, 1802, of sturdy old Scotch-Irish stock. He died in his native state on December 2, 1899. Up to the last he was active in many enterprises, which he conducted alone, largely by aid of an envelope system which surpassed any form of bookkeeping known in his time. He entered a grocery store at the age of ten, owned it at the age of twenty, and hired his first clerk two years later. In ten years more he had acquired four stores and several grist mills in the vicinity, and thus laid the foundation of wealth for his later projects. In order to handle all his varied business, and to control deposits and make loans, he organized the Belvidere Bank. For forty years he was postmaster of Blairstown, a small village at the Delaware Gap in Warren county in the northwestern part of the state.

He was a born financier and early Scranton business men came to him seeking aid in a financial way, and he joined them in the iron industry, then in its infancy. As soon as he became interested he began to investigate for himself how the raw material could be made cheaper by use of anthracite coal. His experiment was a success from the start. Another company, known as the Scranton Coal and Iron Company, was formed on a larger scale, and in time became one of the strongest financial institutions in the east.

In order to get rid of their iron and coal products, the owners recognized the need of owning and operating railroads and began in a small way to acquire railroad properties. Thus the Delaware, Lackawanna and Western Railway was pur-

chased and extended gradually, as the trade expanded. John I. Blair was one of the first directors of this road and in a short time the largest stockholder. He made a careful study of railway operation, and looked ahead far enough to see the future possibilities of the country and the need for extension of lines in all quarters where lands were opened for settlement. On account of his income, his resources and his financial genius, the banker and railway promoter, tucked up in a small house in Delaware Gap, was often sought by the New York financiers for loans. Thus he learned to know the financial condition of the country.

He was a delegate to the Chicago Convention which nominated Lincoln, and there was approached by many men, whom he knew, as to extensions of railroads in various sections of the West, which at this time was suffering from the depression of '57. He is said to have come to Iowa at this time either to look after investments already made, or with a view of obtaining control of the railway lines then in progress of extension.

From 1862 Mr. Blair gave personal attention to the construction and was in absolute control of the affairs of the Cedar Rapids and Missouri River Railroad. The various railroads which were acquired and financed by Blair became known as the "Blair Roads," and were generally so mentioned in the public press in the West. It must be borne in mind, however, that Blair was not the owner of more than one-sixth of the stock of these various companies. Another one-sixth was held by the Lackawanna Iron and Coal Company, which was composed of such men as J. H. Scranton, Moses Taylor, W. E. Dodge, D. W. James, James Stokes and many other well-known financiers. It is stated that the controlling interest was always held by a group of New England men, such as Oakes and Oliver Ames, John Bertram, C. A. Lambard, W. T. Glidden, D. P. Kimball, Joseph and Fred Nickerson and Horace Williams, who later removed to Clinton, Iowa, to assume control of this property.

The beginning of Iowa railroad activities was after Congress in May, 1856, passed what is known as the "Iowa Land Bill,"

making grants of land to the State to aid the construction of four lines of railway across the State from east to west. The Iowa Legislature, on July 14, 1856, granted the land inuring to the State, to what became known as the "Air Line," running from Lyons to Anamosa and thence westerly to the Missouri river.

The same year considerable grading was done, but the panic came on, work was stopped and never again resumed by this company.

Thus it was that the Cedar Rapids and Missouri River Railroad was organized on June 14, 1859, by eastern capital and headed by such men as J. F. Ely, John Weare, George Green, Col. S. D. Carpenter, S. C. Bever and others of Cedar Rapids, and by G. M. Woodbury of Marshalltown and many others. In March, 1860, the Legislature took over the land grant from the "Air Line" company and bestowed it upon the Cedar Rapids and Missouri River Railroad.

The first work west of Cedar Rapids was done in 1860 and the bridge across the Cedar was built during the winter of 1860-61. Forty miles of track were laid west of Cedar Rapids by the end of 1861. In December, 1862, the track was laid to Marshalltown. From Clinton to Marshalltown, Milo Smith, of Clinton, was the engineer and had personal charge of the construction of the road. West of Marshalltown, John I. Blair, store keeper, miller and practical business man, had complete control but had as an able assistant W. W. Walker, a trained engineer, a young New Yorker fresh from Brown University, full of life and vigor, who assumed charge and for many years was noted as an upbuilder of Iowa railroads.

On account of Blair's varied resources, his skill in handling men, and the efficiency of his many assistants, the road was completed to Council Bluffs in January, 1867, a feat unequalled in railway building up to that time.

L. B. Crocker was president of the road until 1866, when Blair assumed control. He was succeeded by Horace Williams of Clinton in 1871. He retired in 1884, when the road was consolidated and became known as the Chicago and

Northwestern Railway. After this consolidation, the old Cedar Rapids and Missouri River Railroad, which had done so much to extend railway facilities for the fast settled parts of the State, closed its business.

This was not the only enterprise with which John I. Blair was connected. He made Cedar Rapids his home while engaged in building and extending the railway lines, but he also organized other companies, so as to profit by the extension of the lines. He knew better than any one else the great future of the State and what the extension of the roads would mean to Iowa's hidden wealth. He was interested in and helped organize the Sioux City and Pacific Railroad Company in August, 1864, construction beginning the following spring. Blair was also the first president of this line. He was succeeded by Horace Williams in 1871. This road was also absorbed by the Chicago and Northwestern Railway Company at the time of the consolidation in 1884.

A railway company had been organized to extend a line between Iowa Falls and Fort Dodge, and some work was done, when for lack of funds, John Blair took this over and organized what was known as the Iowa Falls and Sioux City Railway Company, October 1, 1867. Again he demonstrated his ability to get work done, as he had finished all the work into Sioux City by the fall of 1871. In this extension work Blair sought and found another valuable man in the person of J. E. Ainsworth, who had charge of the construction. Blair was the first president of this road also, and when he retired was succeeded by Horace Williams, who remained at the head of affairs until this road was taken over by the Illinois Central Railroad Company.

The Fremont, Elk Horn and Missouri Valley Railway Company was strictly a Nebraska Company, but its offices were in Cedar Rapids. This road was also hard up and was taken over in 1869, before it was completed, by John I. Blair and his associates who undertook to finish the construction of the road. It was built gradually on account of the uncertain crop conditions in that country and lack of a sufficient population to support a railroad. In August, 1884, this road was

taken over by the Chicago and Northwestern Railway Company. This company extended the branch so that in time it became a revenue producer.

Blair was also president of this line, with J. E. Ainsworth as engineer; and a new man brought out from the east, P. E. Hall by name, superintendent of construction. Mr. Hall came later to Cedar Rapids and is still living, enjoying old age. For many years he was an intimate associate of Blair and his associates. Mr. Hall is now the only person left of the old guard and he controls the syndicate property still held in Cedar Rapids by the old New England group of financiers.

The Maple River Railroad was another branch of Blair's business. This branch was also later taken over by the Chicago and Northwestern Railway Company. In 1882 Congress granted to the Sioux City and Pacific Railway Company the right to erect a bridge across the Missouri river at a point where the line crosses the river between Missouri Valley, Iowa, and Blair, Nebraska. The company at this time was unable to meet this expense and the railroad assigned its rights to what became known as the Missouri Valley and Blair Railway and Bridge Company which was organized in 1882, for the purpose of erecting a bridge across the river at this point. This bridge was open for traffic in November, 1883, and was built at a cost of \$1,300,000.00. Nearly a half million was for the bridge proper, the balance being expended for approach work, and for protection against the annual flood of the Missouri river. Mr. Blair was correct in his views in this respect also. Since then several hundred thousand dollars have been spent in trying to keep the water in the channel under the bridge, by the erection of dikes and protection works along the river banks on both sides.

In this work P. E. Hall had general charge of construction and G. S. Morrison had charge of the engineering work. This road was also later taken over by the Chicago and Northwestern Railway Company.

The Iowa Railroad Land Company was formed in 1869 for the purpose of handling the land then earned from the State for completion of the railroad. Much litigation and

trouble arose over these land matters, which were finally closed up in 1902. This was one of the largest land companies ever organized in Iowa. John I. Blair was president from 1871 to 1872 and J. Van Deventer succeeded him and remained until 1889. Since that time P. E. Hall of Cedar Rapids has been president and since 1871 has been in office.

In addition to several subsidies the company was authorized to issue government bonds and to organize with a capital stock not to exceed \$100,000,000. It later became evident that the road could be built for \$20,000,000 less than the resources thus furnished. Oakes Ames became the scapegoat for others. Through the efforts of the son of Oakes Ames, the State of Massachusetts exonerated Ames May 10, 1883, some ten years after his death and after the forty-second Congress had censured him.

John Blair was more than a promoter, railroad builder, postmaster of a small village and an unknown storekeeper as he was often called. He was more or less of a seer and stood for big business. In the first years of the Civil War he loaned the Government one million dollars to help pay the debts which were fast accumulating. He was a believer in the Republican party and a follower of Lincoln. He was persuaded to run for governor of the State in 1868, by his friends or by those who had hoped to profit by such politics. He lost, paid all campaign expenses with a smile on his lips as he drew a check for nearly a hundred thousand dollars, saying, "It costs to become a statesman." This was his first and last entry into political life.

In his daily habits he was close and stingy with others and even with himself. He denied himself all pleasures, and a few of the comforts. With him, it was big business from morning till night and then over again the next day. He needed little rest and his big sturdy frame seemed in constant action. He would take two steps at a time in walking up stairs, and would walk if he could get to a place quicker than by waiting for some conveyance.

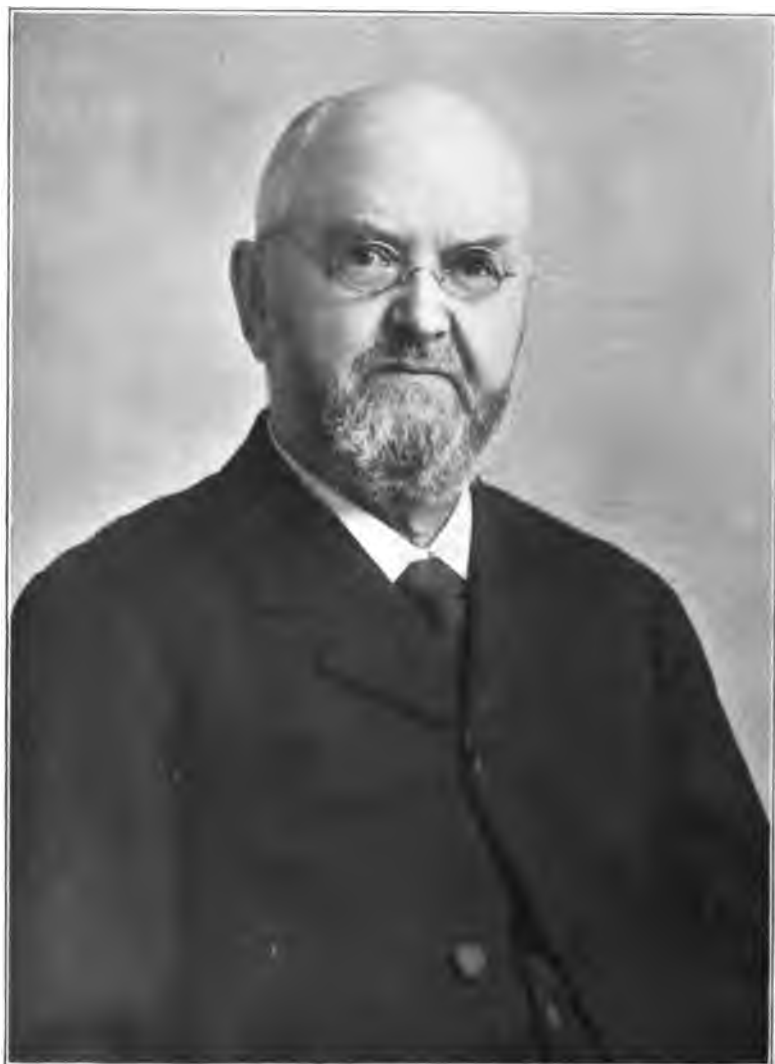
It is told he took dinner at a small railway eating house along the line of the Chicago and Northwestern Railway.

When the owner made a charge of fifty cents, Blair protested and threw down a quarter. The owner began to growl, and finally said he did charge railroad men twenty-five cents, but all others fifty cents. Blair replied as he went out, "I am a railroad man; I own this road." A porter could not make change when he had shined Blair's shoes. Six months later Blair came back to the same porter and had his muddy shoes again cleaned and shined, when he said: "All right, we are even now. I paid you for two shines last time I was here, when you did not have the change." He went into a tailor shop to ascertain the price of a new lining for an old coat, and was told the price would be ten dollars. Blair put the coat on and said, as he walked out: "It will last just as long without a lining." Many of such stories are still told by men who knew Blair and his operations in Iowa.

While Blair was close in his dealings and made every employee account for every penny that came into his hands, he was also generous and kind when he felt like it, and gave away large sums of money to charity and for education. He gave large sums to as many as one hundred churches and gave the Presbyterian church, of which he was a member, nearly a half million dollars. He gave something like \$600,000 to Blairstown Academy of Blairstown, N. J., to Lafayette College \$100,000 and to Princeton College money donations from time to time. He also erected buildings. He generously came to the rescue of Iowa College at Grinnell after the cyclone had demolished the buildings in the eighties. He erected the Blair building in Cedar Rapids in which he housed all of the Blair interests in the West. This building was rebuilt by the Kimball crowd of Boston, and is still standing a monument to the work of John I. Blair in Iowa. This building cost about \$60,000.00 and was said to be the most substantial business building in the West. He also organized the First National Bank of Cedar Rapids, to which he gave his support and lent his influence. He saw that it was essential to have a bank in the West so as to be able to pay off all the claims on the properties and thus be able in the East to discount the paper or make loans on collaterals. Only with Blair's backing could this be possible.

He was associated in his railway plans with James Blair, a brother, who also became wealthy. He also brought to Iowa as early as 1862, D. C. Blair, a son, who was associated with him in his projects for many years. Ledyard Blair, a grandson, is now and has been for many years the head of Blair and Company, who still control much of the stock in the railway companies which the grandfather financed and controlled in such a masterly manner. The offices now and for many years have been in New York.

John I. Blair will always be remembered in Iowa as the first real pioneer railway builder who was willing to invest his wealth and that of his associates long before the rest of the railway builders believed such investments safe. He not only invested his money, but he helped actually to construct the road and walked over nearly the entire line on foot, and that long after he was rated among those who owned millions. He came at a critical period in Iowa railway building, and was one of the men who blazed the trail for the oncoming civilization. It was only by means of extension of railroads that the settlers hoped to be able to get the products of the farm to market and to profit by the new enterprise. This vast extent of prairie country, without rivers and without mountains, just waited for an empire builder such as John I. Blair, and he early saw the possibility of such a country. The settler was not slow to follow, and soon the virgin prairies were turned by the strong arms of the pioneer settlers, and the railroads in turn began to haul the vast crops which since then have been growing without any diminution. John I. Blair, railroad builder and man of affairs, should long be remembered among the men who made Iowa.



*Believe me, my dear Mr. Aldrich,
always faithfully yours.*

Charles A. White.

LIFE AND WORK OF CHARLES ABIATHAR WHITE.

BY CHARLES KEYES.

There was recently claimed by Death another of the great scientists of our country—an Iowan withal. Iowa is unfortunately prodigal with her brains. Singular as it may seem she appears to be the one State in all the Union which is constantly producing the largest number of exceptional minds in proportion to her population while she retains the fewest. Dr. Charles Abiathar White was no exception to this rule. For seventy-two years he was a resident of Iowa; one-half of this long period dwelling in Washington, but still retaining his home in this State and actively interested in its affairs. During a round half century he was a copious writer on many themes and his important contributions to geologic science were above two hundred in number.

The subject of our sketch was born at Dighton, Bristol county, Massachusetts, January 26, 1826; and died in Washington, D. C., June 29, 1910. His residence in Iowa dates from his twelfth year of age, when he came with his parents to Burlington when our commonwealth was yet a territory.

Charles White was the second son of Abiathar and Nancy White, the latter a daughter of Daniel Corey. His forbears were among the earliest settlers of New England, having come over to this country from Old England within twenty years after the Pilgrim fathers landed on Plymouth Rock. The White homestead in Dighton was held by the successive members of the family for a period of more than two hundred years.

In New England White's ancestors were tillers of the soil; but they were also always active in the business and public affairs of their neighborhood. So strongly were they attached to their native heath that it is said that no member of the family for a period of more than one hundred and fifty years ever travelled a greater distance from home than fifty miles.

When, finally, the *Wanderlust* which, in the middle of the last century became so prevalent throughout the older parts of the country, penetrated to Charles' family, the latter moved to the Mississippi river and took up residence in the vicinity of Burlington, Iowa. At this momentous time in Charles' life he was twelve years old. The Black Hawk war had recently closed and the Indian lands west of the Mississippi river had been thrown open to settlement. The country was then the newest. In a typically pioneer home young White grew up to manhood amid many privations and seeming disadvantages. For a number of years he worked as a mechanic, but his interest early turned to the rocks and their curious remains of ancient life. Large collections of fossils were acquired and studied. The little farm on Flint river (four miles north of the town) happened to be near what afterwards proved to be one of the most famous and prolific localities for organic remains in the world.

In 1847, when he was twenty-one years of age, young White paid a visit to the old New England homestead at Dighton. It was there during the following year that he was married to a childhood school-mate, Charlotte Pilkington. With his young wife he returned to Burlington, where he continued to live for a decade and a half. For fifty-four years they were spared to each other. Eight children were the fruit of this happy union.

During the fifteen years of his residence in Burlington were laid the foundations of White's scientific career. The labors which had brought him his daily bread became gradually more and more irksome. Through local studies of the rocks and the flowers he was led to more systematic effort. The love for natural history matters thus acquired never left him while life lasted. From the Burlington rocks he made large collections of the fossils. These collections were especially rich in beautiful crinoids, or "stone lilies," for which the locality became so famous the world over. His first scientific paper, published by the Boston Society of Natural History, is a record of some species new to science, found in the vicinity of Burlington.

White's interest in ancient organic remains contained in the rocks of Burlington grew rapidly. With Charles Wachsmuth, Otto Thieme and Amos Worthen, who lived a few miles down the river at Warsaw, he collected fossils and recorded facts. Visits to Burlington by Louis Agassiz, James Hall, Doctor Perry and F. B. Meek, greatly enlivened the enthusiasm of the little local coterie of embryo scientists. The discoveries by the Iowa men of hundreds of fossil forms entirely new to science soon made these modest workers widely known.

At this time White made numerous trips into various parts of the Mississippi valley and his knowledge and breadth of mind grew apace. The discoveries made on these journeys led him to accept an assistantship with Professor Hall, of Albany, New York, one of the foremost of American geologists. There the years 1862 and 1863 were happily and very profitably spent. Separately and in conjunction with several other workers on the Hall staff, he published the results of his first scientific investigations.

With a large family to support, White had to look closely into the means of getting a livelihood. In those days dependence upon purely scientific work was a precarious course. His inclinations were turned towards the practice of medicine. A few years previous to going to Albany he had taken up the study, in the office of Dr. S. S. Ransome, one of the leading physicians of that day in the new State. He then attended the medical school at Michigan State University, selling to that institution his collections of fossils in order to defray his expenses. Finally, in 1864, at the age of thirty-eight, he was graduated with the degree of M. D., from Rush Medical college of Chicago. The same year he removed with his family from Burlington to Iowa City, and began the practice of medicine, following this vocation for two years, when by legislative enactment he was made State Geologist.

In taking up the duties of state geologist Doctor White entered in earnest upon his career as a scientist and an author. For a period of more than forty years thereafter his pen was seldom idle for any great length of time. As State Geologist of Iowa he served four years; and two large volumes attest

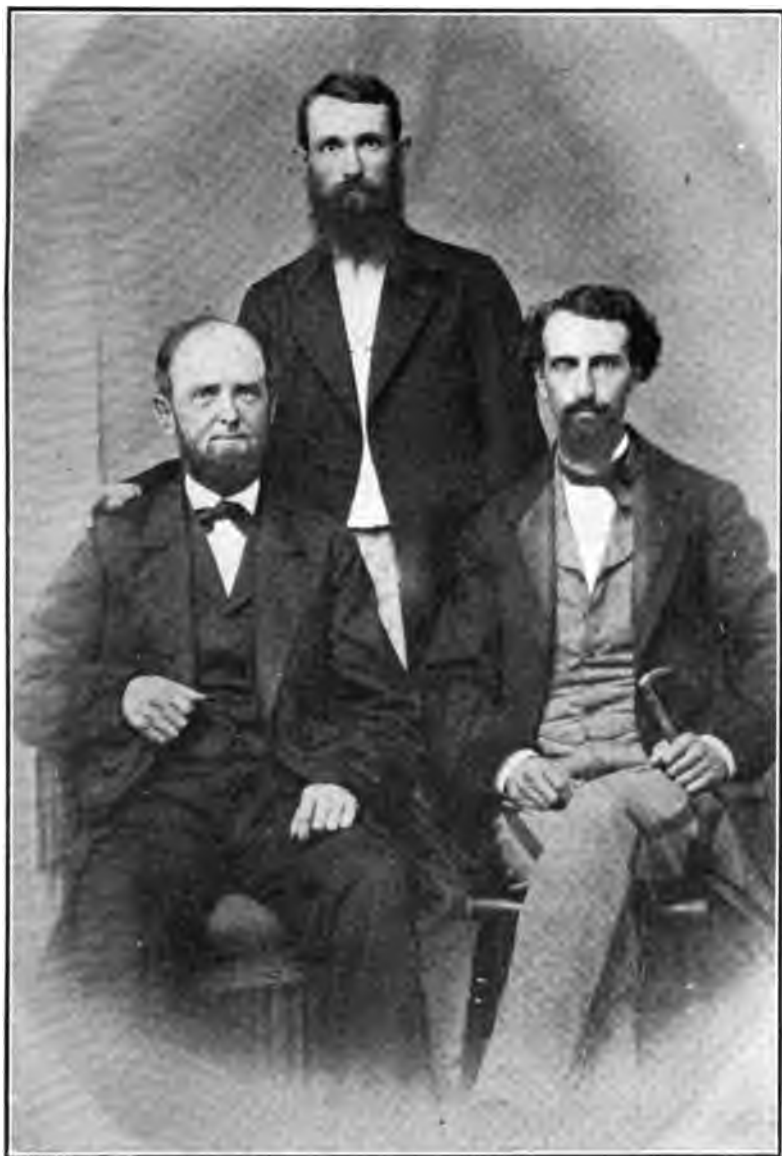
his energy and industry and that of his two chief assistants during that period.

In 1867 Doctor White was appointed to the chair of natural history in the Iowa State University. During the next three years he only devoted a part of his time to school duties. The department was then new and students were few in number. In succeeding years he gave all his time to the University, until, in 1873, he accepted a call to Bowdoin College at Brunswick, Maine. There as Professor of Natural History, he remained two years, and then took up his abode in Washington, D. C.

From this time onward Doctor White was never again closely in touch with educational affairs. But colleges had come to recognize his work and worth. In appreciation of his achievements honorary degrees conferred upon him include that of Master of Arts, by Grinnell College in 1866; and that of Doctor of Laws, by Iowa State University in 1893.

It was while occupying the professorial chair in Bowdoin College that Doctor White, in 1874, was asked by Lieutenant G. M. Wheeler, then in charge of the United States Geographical and Geological Surveys West of the 100th Meridian, to prepare a report on the invertebrate fossils collected by the various expeditions of that organization. This was the beginning of a long service in the government bureaus. Two years later he was transferred to the Geological Surveys of the Territories, under Doctor H. V. Hayden, with whom, for a period of more than three years, he performed arduous duties in identifying and describing the old organic remains of the western country. With the merging of the four governmental surveys in 1879, Doctor White became Curator in Paleontology in the United States National Museum.

In 1882 Doctor White was appointed Geologist to the newly consolidated United States Geological Survey. Before entering fully upon his duties in this capacity he was detailed for a period of several months as chief of the Artesian Water Commission in the Great Plains Region, under the supervision of the Department of Agriculture. During the latter part of the same year he was commissioned by the Brazilian govern-



DR. C. A. WHITE
State Geologist

PROF. RUSH EMERY
Chemist

ORESTES H. ST. JOHN
Asst. State Geologist

ment to make a report on the Cretaceous fossils which had been obtained in that country. He continued in the service of the Federal Survey until 1893, when he resigned to take up the duties of Scientific Associate in the Smithsonian Institute at Washington.

After fully entering upon his scientific career Doctor White traveled widely. His explorations in the various Government geological surveys took him, during a period of a score of years, into nearly every state and territory west of the Mississippi river. During two trips to Europe he visited many localities that were classic in geology. On one of these journeys he and his wife extended their itinerary into Egypt and Asia Minor.

In spite of his manifold duties Doctor White always took an active interest in the proceedings of the learned societies. In several of these he was chosen officer. He was president of the Biological Society of Washington two terms; Vice-President of the American Association for the Advancement of Science; and a member of the National Academy of Sciences. As one of the founders of the Geological Society of America he took a leading part in its debates. Besides membership in many scientific societies in this country he was corresponding member in the Geological Society of London, the Isis Gesellschaft für Naturkunde of Dresden, Saxony, the Royale Accademia Valdernes del Poggio, of Montevarchi, Italy, the Königlich-Kaiserlich Geologische Reichsanstalt of Vienna, Austria, and the Kaiserliche Leopoldinisch-Carolinische Deutschen Akademie der Naturforscher, of Halle am Saale.

Doctor White was a voluminous writer. His pen was busy for a full half century. Between his first modest scientific paper of a dozen pages, published in Boston in 1862, and his last important memoir there was a large variety of subjects treated. The total number of titles is above 240. Of these no less than thirty-five relate to Iowa alone. His principal contributions to scientific literature deal with the invertebrate fossils. For many years the Cretaceous formations and their organic remains were his especial field of inquiry. During his

long period of investigation he published the descriptions of hundreds of forms new to science. Indeed, this is the line of painstaking effort for which he will be longest remembered.

The subjects treated of in Doctor White's scientific writings cover a wide field. They belong to the departments of zoology, botany, anthropology, paleontology, geology, history, medicine and domestic economy. Besides his more pretentious memoirs he wrote copiously for the general public in the newspapers and periodicals. With most happy results this method of presenting the most instructive and interesting facts to the people was adopted during the prosecution of the geological survey of Iowa.

Some idea of the comprehensiveness of Doctor White's investigations is gained by perusal of subjects discussed in his two most extensive accounts on Iowa geology. In the introduction to the first volume of the Iowa reports are included an historical statement, popular explanation, and a classification of Iowa rocks. Then in four long chapters are described the salient physical features and surface geology of the State. The general geological characters, and the relations of the rocks to one another are set forth in five chapters. The most striking aspects of seventeen counties are considered in the remainder of the volume. In the second volume the descriptions of the counties are continued, under four chapter headings. The second half of this volume treats of the economic geology, and is followed by three appendices.

On the whole Doctor White's scientific work was mainly pioneer effort. It was exploratory in nature and as such it was necessarily carried on in somewhat desultory fashion and under great difficulties. Many of his earlier published observations, on Iowa's mineral resources, are frequently quoted to this day, after the lapse of half a century.

Doctor White had a large personal acquaintance with men of science from all over the world. His correspondence with these and other men of large affairs was extensive. Many of these communications have so important an historical value that, shortly before his demise, he deposited a large number of them with the Historical Department of Iowa, together with

all of his diplomas, testimonials, commissions, and other similar documents. He made this disposition of these papers because he grew up to a citizenship in this State, and always continued to regard himself as a citizen of Iowa.

Doctor White was the last of that small but renowned group of American naturalists who, in the third quarter of the Nineteenth century, acquired international distinction. Iowa may well feel proud of counting him one of her most distinguished sons.

As has been already stated Doctor White was a wide and observant traveler. This extensive contact with both humanity and nature gave him a breadth and catholicity of sympathy such as is displayed in the character of but few men. When some years ago an eminent scholar aptly remarked that the circle of American scientific men who, at least in the earlier periods of their work, may be most correctly described as naturalists grows smaller year by year, he must have had in mind Doctor White's own coterie of friends. Like many Americans who have attained prominence in fields of science Doctor White began with medicine.

Once, at a special session of the Geological Society of America held to do homage to the name and fame of one of the country's most distinguished sons, Doctor White, a short time before his own demise, when called upon to say something concerning his late friend, spoke feelingly words which with even greater appropriateness now apply to him. As now recalled these remarks were about as follows:

In addition to the features of the life and work of our departed colleague to which we already have called attention,—his breadth and largeness of view, his hospitality to new truth, and his courage in advocating it,—we must not fail to name the personal qualities that have insured for him a lasting place in our affections and regard. In his candor, his fairness, his courtesy, he approached the ideal of the searcher for the truths of nature; in his devotion to his work he literally knew no limit, save that which the narrow house and the long sleep impose upon us all.

For nearly a quarter of a century it was a source of constant pleasure to feel assured that I was numbered among Doctor White's friends. Each meeting was a new and lasting

delight. His was a strong personality. His kindly sympathy grew stronger with the passing years. He not only possessed all the cardinal virtues of the ancients—justice, prudence, temperance, and fortitude,—but he was ever generous and charitable. His love for his family and kindred amounted almost to a passion, and his kindness of heart extended to all with whom he came in contact. He was deliberate and careful in forming his opinions, and once formed he held them with firmness; but in upholding them he never descended to personalities, and no word was ever uttered by him that left a sting on the memory of his opponent, even when vanquished. He was wise and learned, a kind and true friend, an exemplary citizen, and, best of all, an honest man.

JOURNALISM.

The late Rev. Dr. Peabody, in a letter to N. P. Willis, took occasion to rebut the notion that newspaper writing is necessarily of small account and influence. He said (we quote from the *Home Journal*):

How many of the best works have been fragmentary and occasional? Not to mention half the literature of the time—essays, reviews, lectures, sermons, speeches—Bacon's *Essays*, Feltham, *The Spectator*, *Rambler*, and numberless other works have been as fragmentary as your articles; but their influence has been none the less on that account. * * * * A journalist, after all, has great advantages. He writes both in the presence of his subject and his audience.

I know of no way in which an author of ability is more sure of a speedy return—in the shape of influence and usefulness—for the most conscientious and careful labors, than by addressing the public through the newspaper press.

Signourney—*Life in the West*, March 19, 1857.

THE ENGAGEMENT AT JENKIN'S FERRY.

BY DR. WILLIAM L. NICHOLSON.¹

Diary of W. L. Nicholson, Surgeon 29th Iowa Vol. Infantry.

Federal Hospital, Princeton, Ark.

May 15, 1864.

Having found some paper, I am tempted to re-commence journalizing for the sake of passing away the dreary time. My chief source of interest in this daily jotting down of current events, namely, my old journal, is probably lost with the rest of my effects. It was no doubt destroyed when the army retreated.

I think I shall begin with the departure from Camden, which we evacuated about noon on April 26th. All baggage, tents, etc., not essential, were ordered destroyed, so that a general holocaust was offered up to the evil genius of our ill-starred expedition. All the wagons rendered superfluous by the destruction of property were temporarily disabled by cutting out a few of the spokes and were then abandoned. I was reluctantly compelled to leave behind the big sanitary chest, hitherto the companion of all our marches. The two hospital tent-flies I got into the two wagons we still had. I brought four or five men, who were unable to travel, to the general hospital where about twenty-five or thirty of the worst cases were left in charge of Dr. Finlaw. Here a general burning up of hospital property, medicine, books, etc., was taking place.

¹Dr. William L. Nicholson was born in County Tipperary, Ireland, September 25, 1832. He was educated in private schools, and graduated from Trinity College, Dublin, and the University of Glasgow. He migrated to Canada in 1853, and two years later came to Fort Dodge, Iowa. He enlisted on August 16, 1862, as a private in Company E, Thirty-second Iowa Volunteer Infantry, and in December was appointed assistant surgeon of the Twenty-ninth Iowa Volunteer Infantry. He was subsequently made chief surgeon with rank of major. At the close of the war he returned to Fort Dodge, where he continued the practice of his profession and served for some years as pension examiner. His death occurred November 11, 1890.

Having quite a supply of crackers we stored them in every vacant spot, they being our main subsistence. The men had only about two crackers each on leaving, while Engleman's brigade had nothing at all. Williamson and myself packed everything on our animals that would stick, and put the medicine trunk in the ambulance. We opened the last bottle of old bourbon which we had been carefully preserving for a great occasion, and this seemed great enough in shame and disaster if nothing else.

The regiment moved out looking fine, notwithstanding the short rations. We crossed the river late in the afternoon on the pontoon bridge, then marched three or four miles and encamped for the night.

Next morning all was in readiness early but we did not get started before eight o'clock. It was a warm day, the march was very fatiguing, the heat was excessive and the men had little to eat. They commenced dropping out about noon, and at three o'clock, when we arrived at Princeton, more than half the regiment was behind. Here a halt was made on the grounds of a widow, Mrs. Harley. The stragglers began to arrive, but no orders were received to encamp. We all entertained the idea that after resting we would have to march seven or eight miles in the cool of the evening. Lucky indeed would it have been had we done so, for in that case the Saline would have been crossed before the bottoms became impassable, and the battle and consequent loss of all our baggage, together with my present detention as a prisoner of war with my men, avoided.

The remaining regiments of the brigade came up and stacked arms parallel with ours. I tied my horse to the fence and went up to the house with Colonel Benton and the Major. Mrs. Harley was a perfect lady and treated us very politely, preparing dinner immediately. Two young ladies, intelligent and good-looking, but most enthusiastic rebels, were there also. We discussed the state of the times at some length but my fair auditors were incorrigible. Their only male relative not in the army was at home disabled by a wound received in some of the battles across the river. We placed a guard

over the place and protected their property as much as possible.

About six o'clock the order arrived to encamp for the night, upon which we pitched our tent and I took my journal and wrote in it a little. I had an aching tooth which had troubled me for some days. Mustering up sufficient courage, I applied the forceps and pulled it out myself.

Reveille was sounded about 3:30 a. m., but a delay of three or four hours occurred before we could get out of the village. This was fatal as every hour of time was now of importance. However, as we had no knowledge that a large force of the enemy was in pursuit, the delay caused no special annoyance. I improved the time by walking along by the regiment and giving each man who looked unwell or likely to give out a dose of quinine. The unusual heat of the past three days threatened to culminate in rain and the sun was obscured. I was agreeably surprised to find the men standing the march very well, none giving out at all.

The rain commenced early in the afternoon and the road soon became heavy and hard to travel. The artillery was pulled up the steep hills with great difficulty by the exhausted horses. About three o'clock we passed the road leading to Benton and prior to that the one leading to Tulip, so it was evident we were not to go by either of those roads but were, as I ascertained, on the main road between Camden and Little Rock which crossed the Saline at Jenkins' Ferry.

The storm was incessant and about this time the report of artillery in the rear was heard between the claps of thunder. The artillery firing continued at intervals for some hours but excited no apprehensions as we supposed that some small force was merely hanging on our rear for the purpose of annoyance.

A little before dark we reached the Saline bottom and found the road had become much worse, being knee-deep in mud and water in many places. We proceeded for about two miles, halted for the night and encamped in the edge of a wood near a ploughed field. I had my tent erected and a good fire built at which I dried my clothes, and after receiv-

ing my share of a kettle of strong tea, felt pretty comfortable. I went to the Colonel's tent and discussed prospects there for a time. A feeling of hilarity seemed to prevail. In three days we would be in Little Rock in comfortable quarters, with plenty of provisions, etc. It seemed so much like going home that all were willing to endure the present hardships with so much comfort in prospect.

Williamson and myself had just lain down when an order arrived to pack up and be ready to leave in two hours. The fires were now extinguished and total darkness surrounded us. At the same time the rain poured down in torrents so that at the hour of starting mud and water were everywhere six inches deep and to move was impracticable. Indeed, if even an order to that effect was issued it would have been impossible to find any one in the driving rain and pitchy darkness. I stood and shivered through the long hours of that dreary night. Some few, exhausted by the toil of the past three days and rendered by fatigue insensible to the pelting storm, slept, immersed in mud and water. Others, like myself, prowled around like unquiet spirits, or sat on a log and took it patiently until cold drove us again to locomotion. The hours until daybreak were anxiously counted. The whips and voices of the wagon drivers ceased, most of the mules being hopelessly stuck in the mud.

At length came dawn, and never did the light disclose a more miserable spectacle. The Thirty-third Iowa had been on picket all night, but of course were no worse off than the rest who were equally unsheltered. At daylight General Rice came along and permitted fires to be lighted. Carter by some means hunted up some coffee and a coffee pot, so that we had a little warm fluid.

There was now a general moving out and all the regiments had passed except the Thirty-third Iowa, when the firing which had been going on at the pickets from the time that objects could be distinguished began to swell into regular volleys. We had just left camp where the boys had abandoned almost everything they had previously carried. As the blankets were all soaked their weight would have been

intolerable, and almost without an exception they were thrown on the fires in huge heaps.

We were halted and then advanced a little, and supposed that a small force was driving in the pickets which we were to support. The firing came nearer, and wounded men being carried to the rear showed something earnest was meant. We were maneuvered in various directions through the open field while the other regiments were being recalled from the river, and finally were brought back to a strip of woods about one hundred and fifty yards wide, at the edge of which the line of battle was formed.

This position was similar to the camp-ground we had vacated. The road bounded each, with the creek on the other side, and behind us was a third ploughed field. At the lower end of this field was a house which was subsequently used for a hospital. Our brigade was all together by this time, and lying down or as near a recumbent posture as the mud and water would permit. It was almost impossible to execute any movements for the same reason. All this time the rain was pouring down.

The skirmishers soon fell back, followed by a large force of the enemy. I now found myself in a bad fix,—a battle about to commence and everything I needed away. The medicine chest, etc., had been put in the ambulance and I had sent Williamson to the other side of the river with them, with instructions to get some breakfast ready, expecting of course to be over presently. I had on my saddle my haversack containing my sash, pocket case, a few rollers and a tourniquet. I put on the former and brought together the musicians who showed signs of great nervousness when the balls began to whistle thick and fast. I gave Bullard my horse to take care of, which he did so effectually that I saw no more of him.

I soon had my hands full, could scarcely find time to more than look at each man and was continually on the rush back to the house at the end of the field which we had seized for a hospital.

There I found the surgeon of the Ninth Wisconsin and made a hurried disposition of the house to contain the

wounded, and compelled the stragglers to resume their guns and follow me to their regiments again. Some who were carrying along dead men I compelled to lay down their burdens and return to the ranks.

On returning to the front after my first visit to the hospital, I found the battle was raging furiously. Our brigade as usual was doing much of the fighting. The rebels brought up fresh brigades and charged our lines several times. They tried on the right and left flanks, but every time our boys stood up like Trojans and hurled them back in confusion. It was ascertained that General Fagan was across the river with five thousand cavalry and ten pieces of artillery, intending to attack us in front. In consequence, all Thayer's force was retained on that side except the Twelfth Kansas and a negro regiment. All our cavalry had been sent forward the evening previous to reach Little Rock in time to prevent its capture. Those two regiments, with Rice's and Engleman's brigades, were all we could get together, in all about 3,500 men.

Colonel Benton proved himself as cool and brave as a lion. His roan horse was shot under him. He dismounted, cool as a cucumber, and had the saddle and bridle removed and sent to the rear. The enemy, finding our line as immovable as a rock, brought up two pieces of artillery and opened at two or three hundred yards distant. General Rice intimated that he wanted that battery. Colonel Benton waved his sword and on went the boys with a yell. The Twenty-ninth led the way, closely followed by the negroes. In this charge our men were under cross fire from each flank, with the battery in front and its supporting infantry,—in all about five thousand pieces. In ten minutes the struggle was over and the guns were hauled within our lines by about one hundred men detailed for that purpose.

After this an attack was made on our right, but by what troops I have not yet learned, and there was a grand attack on the center and left by the divisions of Parsons and Walker, respectively. The incessant roar of musketry and whiz of bullets no words can describe. The attacks were renewed again with fresh troops but our line was never broken. The

wildest enthusiasm animated the men. They forgot cold, hunger and wet. Several whose wounds I dressed and pronounced not serious returned eagerly to their places. I detected only one case of skulking.

The enemy did not bring forward any more artillery as its loss would have been certain, since, owing to the swampy nature of the ground, the horses all mired down. For this reason we trusted to our muskets. One gun was brought up and planted near the hospital and from this a few rounds were fired. But the mud preventing any recoil, the piece was rendered practically useless, so it was withdrawn. General Rice was everywhere in the midst of the fight and just before its conclusion he was struck in the foot and carried off the field.

About one o'clock the firing ceased, the enemy having fallen back. Our forces commenced an immediate retreat. I was of course not aware of the designs of the general, and remained on the field, taking advantage of the lull of battle to carry off the wounded, numbers of whom yet uncared for were lying around in all directions. On finding the men all recalled, I returned to the hospital, passing by the front of our recent lines. A few negroes yet remained who were firing occasional random shots and were rapidly being recalled from the field. I hurried through the mire and reached the hospital just as Company F, the rear guard, was passing by. It never struck me even then that the wounded were going to be unceremoniously abandoned. I thought the troops were merely falling back to some other position or were getting ready for some aggressive movement. As Company F was passing by I desired Captain Nash to leave ten or twelve men to bring in the wounded, which he immediately did. Fortunately, as appeared afterward, I desired them to lay aside their arms before going out.

The house consisting of six rooms, the porch, entry, smoke-house and stables were all filled with wounded, bleeding and dying men, shivering in their wet and bloody clothes. Twenty-five or thirty were lying in the mud of the yard in the rain which still poured down. It was a sad sight to see poor Arthur Williams, Sergeant Irwin and old man Stroud,

with others equally worthy, their lives ebbing away, without even the shelter of a tree to protect them from the storm. The house, outhouses and yard contained about one hundred and fifty men, all badly wounded, who had been carried from where they fell to this place. All whose wounds would permit them to walk I had ordered across the river during the progress of the fight. The groans and cries of the wounded were heart-rending.

Just then up came Dr. Stuckslager, surgeon of the Twelfth Kansas, one of the last regiments ordered in, who came from the pontoon bridge to look after his men. He immediately went to work, but like myself, had nothing to work with. I heard shots fired in the vicinity and picking my way to the door I saw the rebel cavalry at the upper end of the field. At this moment Dan Johnson came riding up on Williamson's mule, leading my horse and shouting for me to mount in a hurry and escape. I debated for a moment. Being taken prisoner was a blue outlook to be sure, but a glance at the bleeding, dying crowd so cruelly left to their fate decided me. I told Dan to make the best of his way back if he could. I also told Hanks to get on the mule. I do not know whether they were successful or not, or whether my horse escaped. I felt rather despondent, wet, weary and hungry, and surrounded by a number who were wounded, in addition.

Some mounted men rode up and commenced pillaging the dead and wounded. One, dressed as an officer, drew his revolver and shot three wounded "niggers" who lay in the yard. I felt very indignant at this brutal violation of the hospital flag and loudly denounced it as a cowardly murder. Some were for shooting me, but others felt rather ashamed and prohibited any more violence. A fellow untied Dr. Stuckslager's horse and took him off. Another helped himself to the Doctor's overcoat. One Major Hathaway came up and took possession of the hospital. He was a gentleman and protected us from further insult while he remained. "Doctor," "Doctor," resounded everywhere, but I could do little more than look at each, having exhausted what little I had,—one-half bottle of morphine and a canteen of whisky, given by Dr. Cornell and Dr. Sawyer, respectively.

I managed to get a fire lit in the fireplace, and seated on a portion of a chair, the rest of which was occupied by a wounded soldier, I was so worn out as to fall asleep and slept at intervals through the woeful night. During the night, my spurs, which were about all I had left, were stolen off my feet.

The rebel surgeons and officers who came along assured us that just as soon as their supply trains came up we would be cared for, but from the condition of the roads and the rapid advance of their army in pursuit of ours, the train was a long way behind.

On the following morning we found several of the men had died. We hunted up sufficient rags to make a covering for each wound and kept them wet from such canteens as had been left to us. We found some corn in one of the rooms and shelled and boiled a quantity. This was our only subsistence for two days more, when rations were furnished us.

When the Confederate surgeons had completed their own work they came and gave us every assistance in their power, and furnished instruments, medicine, dressings and chloroform. As three or four days had elapsed since the injuries were received, the inflamed condition of the limbs rendered amputation of doubtful utility. In consequence many required operations much higher than otherwise would have been necessary, and many we did not try to operate on at all. We amputated twenty-one limbs, leaving an equal number untouched. I operated on seven of my own regiment, of which there are now living (May 29th) three, Smith of Company C, Powell of Company B and Schooling of Company D. Schooling will die I fear, and Powell will have hard scratching to get through. The great trouble has been lack of stimulants and nutriment. It is too much to expect capital operations to succeed with no better diet than corn bread and bacon. Two or three days ago I took off a leg of Reuben Madden's, after trying in vain to save it. He, too, I fear, will sink from the same causes.

The old lady who owned the house came and made a fuss about the summary occupation of her property, and as she

could not perceive the military necessity of the step, just told her to go to h——l. On the second day we buried those who had died in and around the hospital, twenty-one white men and three negroes. I placed poor Beans and Tom Irwin side by side on top of the pile, all in one grave, and the negroes in another. We went on the field and buried a number where we found them. Almost without exception our men had been stripped to their shirts, and in some cases even this was removed. The negroes were stripped as impartially as the rest. General Parsons sent a fatigue-party who completed the job on the following morning. The weather having become warm, the offal incident to this place made it intolerable and as soon as the Confederate wounded were all removed to Tulip they commenced hauling ours to Princeton. As the supply of ambulances was limited the transportation occupied about ten days.

I arrived in this town on the 14th, with the balance of the wounded and attendants. The post quartermaster, Captain Faust, furnished a quantity of cotton which was filled into clean bed sacks procured from the post surgeon. The condition of our boys was much improved by the change from the hard and muddy boards to the soft cotton which felt very grateful to their excoriated backs and sides.

The wounded officers, six in number, were located in an empty house, situated close by the hospital. They consisted of Lieutenant Colonel Hayes, Twelfth Kansas, thigh amputated; Captains Bacon, Franz and Comstock; Lieutenants McHenry and Harper. Lieutenant McHenry is dead. The rest are permanently disabled except Captain Comstock. In the last cargo of wounded which I accompanied in person were six wounded negroes, three of them mortally. I felt bound to do my best for them while they were suffering. I placed them by themselves in a small storehouse adjacent to one that contained other wounded soldiers and fixed them up temporarily with a nurse. They had not been long deposited when I heard shooting, and some one remarked "The niggers are catching it." I was discussing matters with an illiterate, vulgar specimen of a rebel officer on the opposite sidewalk,

when I saw a fellow emerge from the building with a revolver in each hand. I went over at once and found all the poor negroes brutally shot through the head. I appealed at once to the post commander, Captain Forest, who did not seem much affected by the atrocious murder, but remarked that they had brought it on themselves. In fact, all the bystanders considered it rather a meritorious action than otherwise. The Confederate surgeons and one or two others regarded it in its true light as a cold-blooded murder, and reported the fact to General Parsons who expressed his horror at the massacre, arrested the perpetrator, and sent him to Camden to be dealt with for a violation of their own hospital flag.

Princeton, May 31, 1864.

I have written the preceding pages at intervals, a sort of summary of our experience at Jenkins' Ferry and the events immediately following. There is but little to chronicle since. I have applied for a release, but was informed by General Parsons that I must consider myself a prisoner of war, surgeons being no longer exempt from capture. My prospect of exchange is very indefinite. I have thought a great deal of trying to escape and make my way through the woods at night by aid of stars. I may yet attempt to reach Little Rock in that way, but will wait and see what the prospects of exchange are, as Major Cabdell went to arrange with General Steele for that purpose and is expected to return very soon.

June 1, 1864.

Major Cabdell returned with the flag of truce about noon today. The tidings did not offer much comfort. General Steele would not negotiate any exchange. Sokalski, who has been promoted to lieutenant colonel, treated the Major very coolly, and in fact they did not seem to be much interested in our fate. Six Confederate surgeons also returned. They had been confined in the penitentiary for the past two months without any apparent reason for being thus treated as felons except that something might be going on at the city which was to be kept concealed.

I cannot expect but that this conduct will be retaliated upon Dr. Stuckslager and myself. The surgeons seemed very indignant and no doubt will represent the thing very unfavorable to General Price. They were captured at the taking of General Dockery's train about the time we left Little Rock.

The news from Virginia was not so bad as the reports first received indicated. Grant, although repulsed with fearful loss after ten days' fighting was not routed, but had only fallen back five miles where he was re-forming for a new attack on Lee.

We have not a vestige of medicine left, and deaths occur daily. Even the convalescents improve very slowly owing to the poor quality of their diet. I wrote a response to the "Secesh" song sung by the ladies, to the same air and with the same refrain. There is considerable growling among our men about the quantity of their rations. However this cannot be remedied. The weather has been quite prone to showers. A train of wagons is coming into town which may possibly be destined for our removal to Camden.

Camden, Ark., June 6, 1864.

My conjecture as to the wagons at my last writing was verified. On the following morning at daylight an order arrived for one hundred men to be placed in wagons and proceed to Camden. The rain was pouring down violently and it was a most unfavorable time for a change, but the orders were peremptory. About noon the men and attendants were all started,—seventy-six wounded and twenty-six attendants. The patients consisted of the convalescents and the slightest wounded. We got some meal and meat for provisions on the way. It continued to rain heavily. We were very wet and from the inundated state of the roads had to wade over our knees in many places.

The train was guarded by a detachment of cavalry commanded by a lieutenant who seemed very much concerned lest any one of the boys should escape. The little runs which crossed the road were very deep, and about eight miles from Princeton a creek was so deep that it became necessary to

wait before attempting to cross. So we stopped for the night at a deserted house where we were carefully watched and kept inside the fence.

The next day was fine. Our wet clothes dried out and we felt better. I hung out my only pair of socks to dry, but while I was walking along the roadside in search of flowers, one got shaken off and lost,—a serious loss under the circumstances. The remaining one has now to do duty on alternate feet.

There is at last an apparently definite prospect of our being exchanged. We have a promise of going out with the flag of truce on Tuesday, but there have been so many delays that I cannot rely with certainty on anything I hear. I anxiously count the hours to the time when I may be a free man again. Lieutenant Wood expects to be sent with us. Colonel Shields is to command the escort.

Dockery's brigade passed through here last night en route to Monticello. I was told there was quite a movement of troops in that quarter. A rumor arrived here today that Sherman had been defeated by the combined forces of Johnson, Forrest and Polk. I don't credit it until better informed. McKissic escaped last night. He cannot possibly go far as he is weak with dysentery and has a sore foot; besides, the guards are after him now with dogs.

June 30, 1864.

The days still drag their weary length along without any sign of a change. The flag of truce is mentioned no more, I think on account of some movement either making or to be made. All kinds of rumors and stories continue to come in. As usual defeats and victories are so intimately blended that nothing can be told with certainty. The summing up I arrive at is that there is something on hand, but of what nature I cannot say.

Little Rock, July 4, 1864.

Back again, safe and sound. Left Camden on Tuesday under a flag of truce in charge of Captain Lewis. Nothing of consequence happened on the road. We met Mrs. Hayes going down to see the Colonel, also Lieutenant Fackler going

down to be exchanged for Wood. I am clean once more and feel like a new man. Dr. Stuckalager has gone back with supplies. Colonel Benton is home and several other officers are also absent. Lieutenant Colonel Patterson is in command of the regiment. All seemed tickled to death to see me.

Field Hospital,² Jenkins Ferry, Ark.

May 3, 1864.

Operated on by W. L. Nicholson.

Jason Powell, Co. B., recovered, thigh.

Robt. McClellan, Co. K, dead, leg.

Reuben Madden, Co. H, recovered, leg.

Wm. Graham, Co. K, recovered, arm.

J. Smith, Co. C, recovered, thigh.

J. Jackson (colored), 2nd Kan., dead, leg.

T. Burton (colored), 2nd Kan., recovered, shoulder.

J. Schooling, Co. D, dead, leg.

Jno. Miller, 33rd Ia., thigh, recovered.

Lt. Col. Hayes, 12th Kan., thigh, recovered.

Sergt. Kyoni, 9th Wis., thigh, recovered.

W. B. Gibson, 33rd Ia., leg, recovered.

Lieut. Harper, 43rd Ind., arm, recovered.

Capt. Franz, 9th Wis., arm, recovered.

Jno. Schooling, Co. D, 29th Ia., amp. leg, May 3rd, died May 21.

Anton Weber, Co. I, 9th Wis., amp. leg, May 3rd, died May 7.

Sert. H. C. Green, Co. G, 29th Ia., amp. thigh, May 3rd, died May 14.

W. B. Gibson, Co. F, 33rd Ia., amp. leg, May 3rd.

F. A. Fingerle, Co. H, 9th Wis., amp. thigh, May 2nd, died May 9th.

²On the back of the diary appears a "hospital list." Nothing explains it and perhaps it was not intended for the use of any but its writer. Be that as it may, the time and care taken in its preparation justifies its publication with the rest of the record. It at least uniquely illustrates a part of the labor of one of the patriotic servants of the Union.—Editor.

Robt. McClellan, Co. K, 29th Ia., amp. leg., May 3rd, died May 22nd.

Peter Butler, Co. H, 9th Wis., amp. thigh, May 3rd, re-operated 24th.

Geo. Brown, colored regt., leg, May 3rd, died May 21st, shot subsequently through the mouth.

L. Foster, Co. G, 50th Ind., thigh, May 3rd, died May 10th.

G. F. Reeves, Co. E, 29th Ia., thigh, May 3rd, died May 5th.

Sergt. T. P. Mosely, Co. D, 13th Kan., thigh, May 4th, died May 10th.

Sergt. Corad Kuoni, Co. D, 9th Wis., thigh, May 10th.

W. M. Rodman, Co. H, 33rd Ia., arm, May 2nd, died June 2nd.

J. C. Smith, Co. C, 29th Ia., thigh, May 3rd, reop. May 26th.

Lieut. W. Harper, 43rd Ind., arm, May 2nd.

J. H. Miller, Co. E, 33rd Ia., thigh, May 3rd.

Jno. Niermeyer, Co. G, 33rd Ia., leg, May 4th, died May 13th.

J. D. Compton, Co. H, 33rd Ia., leg, May 3rd, died May 14th.

Geo. Legler, Co. K, 9th Wis., thigh, May 25th, died June 3rd.

M. J. Crotty, Co. G, 50th Ind., leg, May 25th, died June 1st.

James Gordon (colored), 1st Kan., shoulder, May 25th.

Capt. Chas. Franz, Co. G, 9th Wis., arm, May 27th.

Lt. Col. J. E. Hayes, 12th Kan., thigh, April 30th.

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Traitor guide. Street.

True tales of the plains. '08. Empire bk.

When fate plays pranks. Street.

When the coil tightens. Street.

Cole, Cyrenus

Anna Marcella's book of verse. '12. Torch press.

Farmer in politics and prosperity. '00. Cedar Rapids republican.

Two great canyons. Torch press.

Colgrove, Chauncey Peter, 1855—

Making of a teacher. '08. Cedar Rapids. The author.

Teacher and the school. '10. Scribner.

Collier, Ada Langworthy

Lilith; the legend of the first woman. '85. Lothrop.

Compton, James R.

Andersonville; the story of man's inhumanity to man.

'87. Des Moines. Iowa ptg. co.

Conard, Henry Shoemaker

Structure and life-history of the hay-scented fern. '08.

Carnegie inst.

Waterlilies. '05. Carnegie inst.

—and Hus, Henri

Water-lilies and how to grow them. '07. Doubleday.

Condit, Edgar Mantelbert, 1840—

Two years in three continents. '04. Revell.

Conger, Sarah (Pike) (Mrs. F. H. Conger)

Letters from China. '09. McClurg.

Old China and young America. '13. Browne, F. G.

ANNALS OF IOWA

EDITORIAL DEPARTMENT

IOWA AUTHORS AND THEIR WORKS.

In the effort to discover and preserve the evidences of accomplishment of our people, the Historical Department of Iowa has gathered diligently and with all its resources. At the time of the death of Charles Aldrich, its founder and first curator, it already possessed a notable collection of books, pamphlets, and object materials on pioneer and Indian life in Iowa and the Mississippi Valley. The already good collection on the service of Iowa soldiers was further greatly augmented by the compilation and publication of the Roster and Record of Iowa Soldiers, a work made possible largely through the effort of Mr. Aldrich and the Roster Board on which he, and afterward the present curator, served.

Another field in which the founder was a most appreciative and active collector was that of authorship. His personal acquaintance with American and English literary men—writers and publishers—was exceptional, and the collection of autograph writings and presentation volumes he gathered and gave to Iowa is one of the most priceless treasures of the State.

Of Iowa writings and writers the collection thus begun was materially augmented by the auxiliary committee of the Iowa Commission to the Louisiana Purchase Exposition. This auxiliary committee, Mrs. W. H. Bailey of Des Moines, Mrs. H. J. Howe of Marshalltown, and Mrs. H. E. Deemer of Red Oak, prepared, through Mrs. Howe, a list of these books, and others by Iowa authors, which was published by the Iowa Library Commission. Their collection of volumes was presented to the Historical Department of Iowa.

Recently there was added the rare collection of Hon. Henry Stivers of Osceola, and these, with the fruits of zealous begging and some buying for the last few years, form our present collection of books by Iowa authors.

In our effort to acquire every book by an Iowa author, we have long felt the need of an exhaustive list of such writers. For our own guidance such a list was begun. So rapidly did the work develop, it seemed incumbent on us to sound the depths of the problem while interest was at its height. So we issued our list in tentative form with a program for its completion. This program and the scope of the collection is perhaps best set forth in the introduction to the tentative work:

Charles Aldrich, founder of the Historical Department of Iowa, regarded attainment in the arts as the equal in importance of military prowess or political achievement. His successors have observed that while scholarly attention has been turned to Iowa valor and statesmanship, the arts, including letters, have remained almost unnoticed.

To facilitate the study of Iowa literary effort, we have designed, first, a general list of Iowa writings, and second a chronological list. The first—and by far the more laborious—has been prepared by Miss Alice Marple, Assistant Curator, and is here presented. Comprehensive as the list appears—presenting many times more information than appears in any other place—it is incomplete. To perfect it additions and corrections will be called from every source. It will be circulated in its present form and published in short sections, serially in the *ANNALS OF IOWA*. After the completion of the series it will be republished with full annotations showing the connection of each writer with our state.

The idea of such a list is not new. It remained, however, for Miss Marple to engage in its present exhaustive character. She has availed herself of the following aids: A list prepared by the late Hon. Theodore S. Parvin; a partial chronological list kindly loaned by Professor Selden L. Whitcomb, now of the University of Kansas; a list prepared by the Iowa Press and Authors Club; "Some Recent Publications by Iowa Authors," current in the *Iowa Journal of History and Politics*; "A list of books by Iowa Authors," by the Iowa Library Commission, 1904; the excellent collection of clippings upon, and of volumes by Iowa authors in the Iowa State Library. But her greatest aid was the books and pamphlets in the Historical Department itself, where the collections of the Louisiana Purchase Commission, and the collection of Hon. Henry Stivers, of Osceola, Iowa, lately acquired, form a large portion.

It is not for the Historical Department to decide upon the worth or merit of the works of Iowa people in literature or elsewhere. Its function is to have at hand all the evidence, including the finished works, from which the critic himself may well decide. It is the effort, rather than the result we note, and it is for us to assemble

every thing embraced in the field of inquiry. We hold that whoever was of Iowa birth or worked in Iowa was an Iowa worker and without a record of him and his work our account with Iowa effort is not closed.

So "feeling our way by a series of tentatives" to a sound and comprehensive foundation, we present Miss Marple's "Iowa Authors and Their Works; a Contribution toward a Bibliography." Through this warp the hands of others may weave the mass and color of a tapestry of Iowa Letters.

COALS THAT WERE FRANCE'S.

Of the cardinal tenets which modern civilizations hold, that which makes nations rank in power in accordance with their relative fuel reserves is nowhere so well exemplified as by some of the countries of Europe. France in particular has long felt the telling force of this great economic law. A hundred years after the momentous event she still publicly bemoans her separation from her distant, inaccessible wilderness on the North American continent west of the Mississippi river. For this act she still bitterly berates the great Napoleon for something he could in no way possibly have avoided. What is true today was not so evident a century before. What might be inexcusable folly now, then might have been, and indeed was, a bit of supreme wisdom.

A number of French journals have copied from the ANNALS a recent article on the discovery of coal in America and the Mississippi valley. One comment which appears in *La Chronique Industrielle*¹, one of the leading economic periodicals of the Old World, is of special interest, because of the fact that it reflects even to this late day the temper of the French people on their great loss. The article is sadly headed "We Have Had Great Coal Wealth."

The translation of this article based upon the one appearing a few months ago in the ANNALS is as follows:

We have spoken of the possibility of discovering in America coal supplies in which we are so deficient. We had them, alas;

¹Thirty-fifth Annec, No. 102, pp. 1-2, Paris, 1912.

for the gifts by Napoleon to America deprive us of inexhaustible coal deposits discovered by the French.

On this point in our colonial history little is known to us. In the valley of the Upper Mississippi the first positive mention of a combustible mineral in the form of coal appears to be that made by the French missionary Jesuits of the Assiniboine (Minnesota). In 1659, on the subject of the Poulak Tribes of the Assiniboine they make the following remark: "As wood is very small and scarce with them, nature has taught them to substitute coal and to cover their wigwams with skins." It is quite possible also that the Iowa Indians of the northern prairies, early made use of the deposits of lignite of the regions such as are found, for example, in Boone county, near the headwaters of the Des Moines river.

When La Salle, a Frenchman, established in 1680 Fort Crevecoeur on the Illinois river in the neighborhood where the present city of Peoria is located there were found and used large deposits of coal. Father Hennepin, another Frenchman, who was associated with La Salle, mentions in the journal of his times, the existence of coal at the same places. In an English edition of this map of the Upper Mississippi region the location of these deposits is clearly represented. That he was not in any way mistaken is amply demonstrated by subsequent developments.

In his letters relating to the natural productions found along the Illinois river, written several years later, La Salle also mentions the fact that coal exists at Crevecoeur. These letters were recently reprinted in Paris by Margry.

One other very early mention of coal in the Upper Mississippi valley is that of Le Gardeur de l' Isle, another Frenchman, who, in 1722 writes from Fort Chartres, near Kaskaskia, that he accompanied a Mister Renault to the Illinois river in order to search for mines of copper and coal.

The French early knew of the existence of coal which outcrops near the mouth of the Missouri river at a point called La Charbonniere. Nearly a century later, in 1805, Pike, when he commenced his famous trip to the sources of the Arkansas river passed by this place. He says: "Six miles below St. Charles, on the south side, in front of a village called Florissant is a hill of coal named by the French La Charbonniere. This is one solid formation which probably affords enough coal for the entire population of Louisiana."

Finally, in order to be complete, in Pennsylvania, about 1704, twenty years after the privilege of colonization was granted by Charles II to William Penn, anthracite was discovered in the Wyoming district. In 1766, twenty-five years later it was also found in the Lehigh valley. Coal in Virginia appears to have been

exploited for the first time near Richmond about 1750. From there it was shipped to Philadelphia, New York and Boston.

In conclusion, is it not curious to think that we have possessed all these great deposits of coal in the Upper Mississippi? Bonaparte dreamed of establishing a vast colonial empire, but the failure of the expedition to St. Domingo changed his plan, and he settled by selling Louisiana to the United States for 60 million francs (1803). The territory then ceded extended from the Mississippi river to the Pacific ocean; it comprises the states and territories of Louisiana, Arkansas, Oklahoma, Kansas, Missouri, Iowa, Minnesota, Nebraska, Oregon, Colorado, the Dakotas, Idaho, Utah, Montana, Washington, and Wyoming. Thus vanished all of the Congo, all of Morocco, all of the Tonkins of the world.

One does not doubt at this time the tremendous importance of the question of coal especially in a country where timber has been abundant.

We learn today of these facts from our colleague, Mr. Keyes, engineer of Des Moines, Iowa, and we tender him our sincere thanks for the interesting communication.

HOW LE MARS WAS NAMED.

Through the kindness of my wife's mother, Mrs. W. W. Walker, who was one of the party from whom the city of LeMars obtained its name, I am enabled to round out into completeness the story of the naming of that city, as given in that valuable work, "A History of the Origin of the Place Names connected with the Chicago & North Western and Chicago, St. Paul, Minneapolis & Omaha Railways."

LeMars was platted in 1869. Its first railroad connection was built eastward from Sioux City to connect with the Iowa Falls and Sioux City Railroad, now part of the Illinois Central system. When the road was completed to the point above-mentioned, in June, 1870, its promoter, John I. Blair, arranged an excursion party which included a number of ladies.

On arriving at the eastern terminus of the road, Mr. Blair gallantly offered to let the ladies name the new town. The ladies caucused and were unable to agree upon a name. Mrs. Ford, a member of the party, then suggested that one be made from the initial letters of the ladies' Christian names. This was done, and from the jumble of initials two names were

manufactured, namely, "Selmar" and "LeMars." A vote was taken and a majority favoring LeMars, Mr. Blair adopted that as the name of his town site.

The "History of Place Names" says: "as nearly forty years have passed since the name was made, it is impossible to be positive as to the women whose names were used, but it is known to be true that the initials used were as follows."

The Christian names then given are correct; but the name "Elizabeth" should have been given to "Miss," not "Mrs.," Underhill and the title of "Judge" was attached to the name of "Mrs. W. W. Walker," whose husband was not a judge but was the engineer who built the road.

Mrs. Walker writes that otherwise the published account agrees with a recently discovered memorandum which was made not long after the visit. The memorandum for the first time accounts for the use of the capital letter "M" which gives the title the suggestion of a French origin. It came about in this way:

Because there were two married ladies of the party with given names beginning with "L," and two with given names beginning with "M," it was proposed that in the name chosen, "M" as well as "L" should be capitalized. The ladies drew cuts as to which letter should come first in the final choice. The straws they had used in the lemonade were utilized for the drawing. Mrs. Ford and Mrs. Walker won. The plan (with the names of the ladies who worked it out) was as follows:

L—for *Lucy*, wife of Judge Ford, and *Laura*, wife of W. W. Walker, of Cedar Rapids.

e—for *Ellen*, wife of John Cleghorn, of Sioux City,—or *Elizabeth* Underhill, of New York City.

M—for *Martha*, wife of John Weare, of Cedar Rapids, and *Mary*, wife of George Weare, of Sioux City.

a—for *Adeline* M., wife of James Swain, of Fort Dodge.

r—for *Rebecca*, wife of Dr. W. R. Smith, of Sioux City.

s—for *Sarah*, wife of Dr. Reynolds, of Clinton.

Johnson Brigham.

ORGANIZATION OF WAPELLO AND MONROE COUNTIES.

The Fifth Territorial Legislature in 1843 established and defined the boundaries of new counties in the lands then recently ceded by the Sac and Fox Indians. Two of these, Wapello and Kishkekosh, the latter now Monroe, were attached for judicial, revenue and election purposes to Jefferson county. It was the duty of the county commissioners of Jefferson county to have the boundaries of these new counties surveyed and marked.

The county commissioners of Jefferson county in 1843 were E. J. Gilham, B. S. Dunn and Thomas Mitchell. At a special session on April 18th they "ordered that David Switzer be authorized and he is hereby appointed to employ five good and sufficient hands to carry chain, mark, blaze, &c., and a team of cattle or horses, sufficient for the conveyance of the necessary tools, provisions, &c., and to proceed (in pursuance of an Act of the Iowa Legislature) to survey and mark out the boundary lines of the new counties west of Jefferson, which are to be attached to Jefferson for judicial, election and revenue purposes; and that the hands thus employed be allowed for their services per day each \$1.50; and that the said Switzer be authorized to make out and present to this board a reasonable bill for his own services, including the expense of team, provisions, &c."

On August 21st the return of the survey was accepted and the fee bill allowed. This shows "the hands" were Andrew Kenedy, Samuel Allender, Stephen Cooper, James Chandler and Jonathan Turner, who furnished the "team". They were out twenty-four days. Turner was paid seventy-two dollars, the other men thirty-six dollars each. Switzer received seventy-five dollars for twenty-five days. The cost of "boarding" was thirty-two dollars and fifty cents. One dollar went to Martin Tucker for "ferriage".

The total expense of the expedition was \$324.50, which was divided among the three counties according to their respective interests, Jefferson paying \$67.60, Wapello \$108.17, and Kishkekosh \$148.73.

On this same date were appointed the judges of election in the two counties for the election to be held on the second Tuesday in October. Wapello county had four voting places. One was at the house of Thomas Ping; one at the town of Dahlonaga; one at Eddyville, and one at the town of Ottumwa. The judges named to serve at Ping's were Silas Garrison, D. G. Laforce and S. M. Wright, at Dahlonaga, Edward Haggard, Josiah M. Knight and Peter White; at Eddyville, William R. Ross, H. Workman and Robert Newell, and at Ottumwa, William Dewey, J. Barnett and James Payne.

Kishkekosh county had but one voting place. This was at Clark's Point. The judges named to serve there were James Myers, Wareham Clark and Hardin Smith.

Such is the record, as it has been preserved, of the authority exercised by Jefferson county over the counties of Wapello and Kishkekosh during their period of organization.

C. J. F.

THE DISCOVERY AND INTERMENT OF THE REMAINS OF JOEL HOWE, A VICTIM OF THE SPIRIT LAKE MASSACRE.

In July, 1914, a young man in the summer camp of the Iowa Young Men's Christian Association on their property on the east shore of East Okoboji lake, discovered remains he thought to be of a human being. Mr. Harry Goodrich, in charge of the camp, directed a thorough search, took possession of all that was recovered, and reported to the Curator of the Historical Department of Iowa.

On August 4th the Curator, in company with survivors of the Spirit Lake expedition, Roderick A. Smith, Guernsey Smith, J. N. Maxwell, A. H. Malcom and some ten or twelve others visited the spot where the bones were discovered. There was noted at the time and place the following:

The remains were discovered about eighteen inches below the present level of the soil. The former surface of the ground apparently is thus modified:

A fresh disturbance as from a current of water from the hillside has worked out a channel receding about thirty feet from the general contour of the lake bank. Turning at the head of this recession is a cattle path generally parallel with the shore line, worn to a depth of from three to five inches. The bones were discovered about eighteen inches beneath the bottom of this path, where its sides had dropped off into the channel. Mr. Maxwell asserts that owing to the lack of tools he placed all the bodies which he buried about eighteen inches below the surface of the ground, and that Mr. Johnson told him he did the same.

Besides the easy identification of the bones as those of an adult male human being, there were objects amply proving their interment in civilized garb. The record and all tradition of the tragic events of March 8, 1857, agree with the memory of J. N. Maxwell that he discovered the dead body of Joel Howe on the ice on the line from Howe's cabin to the cabins of Mattock and Gardiner, and opposite the point where these remains were discovered; that Mr. Maxwell reported to Capt. J. C. Johnson of the burial party; that the latter, with William R. Wilson, recovered the body, conveyed it to the shore and buried it as best they could. Captain Johnson perished the next day after he buried Howe's body and Mr. Wilson is now dead. Mr. Wilson left the oral statement that Mr. Howe's body was headless when interred. Mr. Maxwell has always said and still maintains that Howe's body was intact and that a bullet wound in the cheek was the apparent cause of death. No skull was found with an otherwise fairly well preserved skeleton.

On August 4th, the Curator of the Historical Department received the remains from the camp of the Young Men's Christian Association, and after sealing them in a receptacle provided, proceeded on the 5th, in a public ceremony in which the survivors participated, to deposit the remains in the plot of ground where the remains of the other victims had been placed by Roderick A. Smith in 1895, at the foot and the east front of the monument.

The care exercised in recovering, identifying and appropriately interring these remains, it is believed, will be a precedent forever guarding against the intrusion of unknown remains of any person or thing among those known to be of the

luckless pioneers in honor of whom Iowa has reared one of her most beautiful testimonials. By thus guarding their graves it is thought the more to revere their memory and inspire the living to higher thought and nobler deeds.

NOTES.

Our tribute to George Douglas Perkins, in our "Notable Deaths" Department of the last issue of the ANNALS, stated that he was delegate-at-large from Iowa to the Republican national conventions of 1876, 1880, 1888 and 1908. To these dates should be added that of 1912, as Mr. Perkins served five times in this capacity.

The following interesting item of Dubuque newspaper history was recently furnished us by the historian of the *Telegraph-Herald*:

The first issue of the *Du Buque Visitor* was published on May 11, 1836. On June 3, 1837, the name of the paper was changed to the *Iowa News*. On August 7, 1841, the name was again changed to the *Miners' Express*. On Monday, April 29, 1850, the first daily paper was issued and the name was changed to the *Daily Express & Herald*. On January 1, 1861, the name of the paper was again changed to the *Daily Herald*. On October 27, 1901, the *Daily Telegraph* and the *Daily Herald* were consolidated and the name changed to the *Dubuque Telegraph-Herald*.

Prior to the consolidation of the two papers the *Daily Telegraph* absorbed the following papers:

The *Daily & Weekly Dispatch*, 1884.

The *Daily & Weekly Democrat*, 1885.

The *Daily & Weekly Independent*, 1887.

The *Industrial Leader*, 1888.

The *Industrial West*, 1889.

The *Dubuque Telegraph-Herald* thus represents the consolidation of fourteen separate papers.

A bronze portrait medallion of Mr. Richard Cornelius Barrett, Superintendent of Public Instruction for Iowa from 1898 to 1904, has been presented to the Historical Depart-

ment by Mrs. R. C. Barrett, now residing in California. Mr. Barrett was an Iowa man who spent his life in furthering the educational interests of the State. The medallion, which is considered an excellent likeness, is the work of Miss Isabel Moore Kimball, an Iowa woman, now a sculptor in New York. Miss Kimball was at one time associated with Mr. Barrett in various school activities in Iowa and Minnesota, and had therefore the advantage of a personal acquaintance with the subject of her work.

Miss Isabel Moore Kimball, who executed the bronze portrait medallion of Mr. R. C. Barrett recently presented to the Historical Department by Mrs. Barrett, was born in Mitchell county, Iowa. Her parents were David W. and Sarah Moore Kimball who came from New England to Iowa in the fifties and took up land in Mitchell county. Miss Kimball spent her early life on a farm and received her early education in the public and private schools of Riceville and Decorah. She taught for a while in the public schools in Mitchell county and then studied art at the Chicago Art Institute and at Pratt Institute, New York, graduating from the Normal Art Course of that institute. After teaching drawing for four years in the State Normal School at Moorhead, Minnesota, and during the summer sessions at the University of Minnesota and normal schools of Minnesota and Iowa, she went to New York to study sculpture with Herbert Adams, occupying her evenings in teaching drawing in the evening classes at Pratt Institute.

Miss Kimball has made two trips abroad, studying in the museums of London, Paris, Rome, Florence and Athens. Her work has been exhibited at the National Academy of Design and the Architectural League, New York; the spring Salon, Paris; Pennsylvania Academy of Fine Arts, Philadelphia and the Art Institute of Chicago. One of her best pieces of work is a memorial fountain at Winona, Minnesota. Miss Kimball chose as the subject of the fountain the Indian girl, Winona, who stands with hand shading her eyes, looking off in the

distance, while below her a spray from the upturned throats of pelicans and tortoises is carried across the fountain.

Miss Kimball's studio at present is in Brooklyn, New York.

On January 11, 1914, Joel Bean, well known in Iowa for many years as teacher and preacher, died while on a trip of a religious nature to Honolulu, Sandwich Islands.

He was born in Alton, New Hampshire, December 16, 1825, the son of John and Elizabeth Hill Bean. His ancestor, John Bean, emigrated from Scotland and settled in New England in the year 1660. On his mother's side he was related to Daniel Webster and John G. Whittier. He was early sent to the well-known Quaker boarding school at Providence, Rhode Island, now known as the Moses Brown School and part of Brown University. In the spring of 1853 Joel Bean came to Iowa and located in Henry county. Here he began his first school work. Later he removed to Cedar county and for many years conducted a private school which was attended by many who afterward became well known in Iowa and elsewhere. In 1859 he was married to Hannah Shipley who came of a prominent Quaker family of Philadelphia. During the John Brown rendezvous at Springdale, a number of the Society members were accused of sympathizing with John Brown. Joel Bean was made chairman of a committee which made a report on these charges. For a long time Joel Bean was clerk of the Iowa Yearly Meeting, a position of as much importance in this Society as that of a bishop in other denominations. In 1882 he removed to San Jose, California, which was his home until his death. During the past twenty years he was engaged in writing, preaching and general missionary work. He was a scholar, a thinker, and a useful man in many ways, who will be missed by a large circle of friends and acquaintances.—B. L. W.

Doctor Seth Eugene Meek, a distinguished scientist and sometime resident of Iowa, died in Chicago, July 6, 1914. He was born at Hicksville, Ohio, April 1, 1859, and was therefore

fifty-five years of age at the time of his demise. He was educated chiefly at the Indiana State University and Cornell University, Ithaca, New York.

During the period of years that he was connected with Coe College, at Cedar Rapids, Professor Meek was especially active in studying the food-fishes of Iowa, and the results of these extensive investigations are given in a series of valuable memoirs published mainly by the Federal Government. While a resident of Iowa he was one of the most active members of the Iowa Academy of Sciences, and read many papers of great economic, scientific and popular interest at the sessions of this body. In part of his Iowa work on the fishes he was associated with Dr. David Starr Jordan.

Professor Meek held with great credit the chair of Natural History successively in Eureka College, Coe College, and Arkansas State University, and was lecturer for some time in the State University of Illinois. He was connected for several years with the United States Fish Commission and achieved great success. During this time he widely explored the western parts of the United States, Mexico, and the Central American states, where he made many important discoveries. For the past seven years Doctor Meek held the post of Chief Zoologist in the Field Columbian Museum at Chicago.

An event unique in the history of Iowa is that of the Home-coming of Iowa Authors to take place in Des Moines, October 5th, 6th and 7th. The plans for this gathering originated with and have been carried out by the Iowa Press and Authors Club of which Mr. J. B. Weaver is the president and inspiring leader. The aim has been to bring together from far and near in a social reunion, the men and women of literary repute who were born in Iowa or by residence therein have gained inspiration or training for their work. Acceptance to invitations sent out express the warmest interest in the plan. Among those who will participate are Hamlin Garland, Rupert Hughes, Alice French, Edna Ferber, Eleanor

Hoyt Brainerd, Herbert Quick, Helen Sherman Griffith, Randall Parrish and Julia Ellen Rogers. The principal events will be a reception on the evening of October 5th, the presentation program of noted Iowa authors on the 6th, the pioneer journalists' meeting at the Historical Building on the morning of the 7th, followed by their luncheon at the *Successful Farming* building, and the banquet to be held the last evening.

The committee of the Lutheran people of Iowa, in endeavoring to procure good talent to execute a portrait of their great leader, Luther, communicated with the celebrated Swedish portrait painter, Anders Zorn. His response follows:

Rev. A. B. Leamer, D. D.

MORA.

Dear Sir:

Your esteemed letter at hand, wherein you ask me to paint a portrait of Luther. I beg to inform you that I only paint portraits from nature, and therefore cannot accept your kind commission, but can safely recommend my old friend, Olof Grafstrom, for said undertaking.

Most sincerely yours,

ZORN.

NOTABLE DEATHS

WILLIAM HULBERT THRIFT was born in Des Moines, October 15, 1847; he died at Hot Springs, Arkansas, March 30, 1914. His father, Josiah Moffitt Thrift, came to Fort Des Moines in 1843, as garrison tailor for the Dragoons, married Eunice Jewett of Jefferson county, took up land now included in Union Park, where a daughter and a son, William Hulbert, were born. William Hulbert Thrift attended the first school in Des Moines. When but a boy he removed with his parents to Boone county. At the age of fourteen he enlisted as a private in Company D, Sixteenth Iowa Volunteer Infantry, on December 2, 1861. He participated in the battles of Shiloh, Corinth and Iuka. At Iuka he was seriously wounded, and was discharged on account of disability on November 21, 1862. While convalescing he joined Company F, Iowa Northern Border Brigade, stationed at Spirit Lake to protect the settlers against Indian raids, and served from September 17 to December 9, 1863. He enlisted in Company H, Forty-fourth Iowa Volunteer Infantry on May 28, 1864, and was mustered out September 15, 1864. Upon his return from the war he studied dentistry and graduated from the Ohio Dental College at Cincinnati in 1868. He returned to Boone, Iowa, to practice his profession, and in 1872 removed to Eldora. Two years later he located in Independence and remained ten years. In 1884 he removed to Dubuque which was his residence until 1905, when he removed to Des Moines. He served in the Iowa National Guard from July 2, 1877, to February 1, 1909, and was Adjutant General of Iowa from 1905 to 1909. He was given a gold medal of honor for twenty-five years of service as an officer in the Iowa National Guard. He received a six months' probationary appointment at the National Cemetery, Arlington, and served as Assistant Superintendent of the National Cemetery, Knoxville, Tennessee. In April, 1911, he was appointed Superintendent of the National Cemetery, Pineville, Louisiana, and held the position until his death. His remains were interred in the National Cemetery, Arlington, Washington, D. C.

G. A. J.

AMOS WISELEY BRANDT was born in Auburn, De Kalb county, Indiana, August 24, 1850; he died at Des Moines on March 15, 1914. He came with his parents to Des Moines in April, 1858, and for

some years attended the public schools here. He pursued his later education at Grinnell College and at Monmouth College, in Illinois, from which he graduated in 1871. He engaged in farming until December, 1877, when he removed to Des Moines. For two years he studied law in the office of Conrad & Phillips, and then entered the Iowa Law School, a branch of Simpson Centenary College at Indianola, and graduated therefrom in 1880. He served as justice of the peace for Lee township for one year and as United States store keeper and United States gauger until 1885. In 1887 he was elected auditor of Polk county, and continued in office until 1895. In June, 1898, Mr. Brandt was commissioned Captain and organized a company of colored immunes. This company proceeded to Jefferson Barracks, Missouri, and Macon, Georgia, where they performed camp and garrison duty. An order to depart for Matanzas, Cuba, was countermanded on account of the close of the war. On July 5, 1899, Captain Brandt was appointed Captain of Company F, Thirty-second U. S. Volunteers, which went to the Philippines and served until June, 1901. Captain Brandt was an active member of the Early Settlers' Association and served as its president several times. He was ever interested in all social affairs of the pioneers of the county.

JAMES SHANNON CRAWFORD was born in Coshocton county, Ohio, December 20, 1851; he died in Chicago, March 2, 1913. When he was two years of age his parents removed to Allamakee county, Iowa, where he was raised on a farm and educated in the common schools. He attended Upper Iowa University and the State University of Iowa. In 1876 he taught school in Allamakee county for a year. He visited the Centennial and spent some time observing the industries and inspecting the coal, iron and oil regions of the East. Returning to Iowa he resumed school teaching in Cass county and in 1882 was principal of schools at Lewis. He became superintendent of schools in Cass county and was a member of the Educational Board of Examiners in 1890. He represented Cass county in the House of the Twenty-fourth General Assembly. For some years he engaged in newspaper work on the *Atlantic Telegraph* and the *Cherokee Herald*. In 1900 he was appointed a member of Ferdinand W. Peck's staff of custodians of the United States exhibit at the Universal Exposition in Paris and in his capacity as head of the corn kitchen did much to develop the use of corn as a food among the European people. He was connected with the Department of Exploitation of the Louisiana Purchase Exposition in St. Louis, 1902 to 1904, and many of his articles appeared in the leading magazines of that time. He was the author

of two books on economics, "Political socialism, would it fail in Success" and "Philosophic Anarchism." He had made his home at Cherokee for some years before his death.

MRS. MARIA PURDY PECK was born in West Butler, New York, November 16, 1840; she died in Davenport, Iowa, January 2, 1913. She was the daughter of Merritt and Amanda Sears Purdy, who came of Revolutionary ancestors. She was married to Dr. Washington Freeman Peck September 18, 1865, and they removed immediately to Davenport. Mrs. Peck possessed a calm, dignified, pleasing personality that made her not only beloved but a leader in all lines of activity she attempted. Active in charitable work, she was one of the organizers and first president of St. Luke's hospital and member and organizer of the kindergarten department of the old People's Union Mission. She was well-known in club circles, being organizer and first president of the Davenport Woman's Club, one of the principal state workers in the Federation of Women's Clubs in Iowa, member of the state child labor committee, and for some time president of the local biennial board of federated clubs. Interested in library and literary work, she served for years as president of the library board and for ten years as president of the Clionian Club, one of Davenport's oldest and most exclusive literary organizations. Mrs. Peck gained national prominence in the Society of the Daughters of the American Revolution, was one of the organizers and first regent of the Hannah Caldwell chapter of Davenport, and for a number of years regent for Iowa in the national organization. As a descendant of Stephen Hopkins she was a member of the national Mayflower Society, and was also a member of the Society of Founders and Patriots and of the Daughters of 1812. Mrs. Peck attended a number of the gatherings of the D. A. R. held in Washington and other cities and as vice president-at-large of the National Council of Women in the United States attended the quinquennial held in London in 1899 and in Montreal in 1909. She was well versed in general history and particularly in all that pertained to Iowa and the surrounding territory. She was clever in repartee and an eloquent speaker.

THIRD SERIES.

VOL. XI, NO. 8

JANUARY, 1915

ANNALS OF IOWA.

A HISTORICAL QUARTERLY



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DES MOINES, IOWA

ANNALS OF IOWA.

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to the Hon. J. D. Brown
President of the Texas State Board of Education.

In the report of the Committee
the Legislature cannot withhold its
Resolution except on the whole vote
and thus under the Constitution
in the Senate's Government
any respecting citizens, are
not with it separate from
Alameda & Co.

[illegible]

If the ecological unity which we name the kingdom & include, even for what it is the reason why we call it "kingdom" of the biological authorities & phrase it such, quoted above, belongs down.

The 14th 1877 Wednesday 9 1873
We went across to the Marshall
Island at the 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4

improving, in every possible line of
action, that would indicate as clearly
as the stars the golden improvement
to be made.

The female department
of the male Pan American
of these negotiations, which the
occasional party should not
know of, which should be
known to them, as they are
young men, and should
be kept in mind.

Thurs. evening,
Dec. 9. 1864.

Letter of Wm. B. Conway, Secretary of the Territory of Iowa, describing the seal of the Territory.

ANNALS OF IOWA.

VOL. XI, NO. 8. DES MOINES, IOWA, JANUARY, 1915. 3D SERIES



THE GREAT SEALS OF IOWA.

BY C. C. STILES.

The Great Seal of a sovereign state, like the signature of a private person, is a symbol of authenticity. This symbol of our commonwealth, embracing that of the Territory of Iowa, has been associated with some very interesting circumstances. Most of the information possessed by the general public in regard to our Great Seals is based on accounts by the late Hon. Theodore S. Parvin. Mr. Parvin was a witness to and a participant in many vital affairs in the foundation of the Territory and of the State. His contributions to the published sources of information are quite voluminous, and in the main are accurate.

As to the Great Seals and their origin, Mr. Parvin seems to have written without some of the original source materials at hand at the time he presented his recollections, and not until comparatively recent days has any one else had aids of a different character from those used by him. But after the establishment of the Hall of Public Archives, and the gathering together of the various documentary materials that lay for half a century inaccessible in various vaults in the Capitol,

new light has been thrown upon this and various other transactions of the officials of the Territory and the State. For the purpose of adding to the information Mr. Parvin and others made available, and not in any sense for the purpose of controverting recollections of Mr. Parvin, I present by original evidences the subject of the selection, the use, the manufacture and the evolution of the seals of our Commonwealth.

The writings of Mr. Parvin, to which I allude, are in the main as follows:

Territorial Seal of Iowa.

A. B. F. Hildreth, Esq., Editor of the St. Charles Intelligencer:

Dear Sir:—I have, this winter, received from three different parts of the State requests to furnish an account of the "Great Seal of the State of Iowa." You, with many others, have doubtless observed, that while all commissions and documents issued from the Executive Department of the State Government bear an impression called "The Great Seal of the State of Iowa," upon the maps of the country, all collections of State Seals, and even the recent large and valuable Report of the State Geologist, has as its "coat of arms" the "Great Seal of the Territory of Iowa." Whether this be the result, in the first two instances cited, of ignorance or not, I am unable to say. In the last case cited, I know that Prof. Hall selected the "Territorial" seal from his own good taste, with the "advice and consent" of Gov. Lowe, who, with every other gentleman of refinement, cannot but regret the bad taste that conceived and adopted the conglomerate devices of our present "Great Seal." The description of these seals is not so much sought after as their history. "The Great Seal of the Territory of Iowa" originated with the Hon. Wm. B. Conway, first Secretary of the Territory of Iowa, and was engraved by Mr. Wm. Wagner, of York, Pennsylvania. At the request of the Legislative Council, Mr. Conway addressed to that branch of the Legislative Assembly a communication, of which the following is a copy, extracted from page 45 of the Journal of the Council:¹

* * * * *

This communication was referred to a committee who reported the following resolution, which was adopted, viz:

"Resolved, That the seal submitted to the Council by the Secretary of the Territory, be adopted by the Council as the 'Great Seal of the Territory of Iowa.'"

¹See letter as shown on pp. 567-8. Original on file in Hall of Public Archives.

The seal is one inch and five-eighths in diameter, and the word "Great" is not upon the seal, notwithstanding the Hon. Secretary in his communication and the Council in their resolution have it prefixed.

The devices upon the seals for the Supreme Court, District Courts, Commissioners' Court and Probate Courts were all designed by the Hon. Secretary, and were all as appropriate in their several spheres as that of the "Great" seal of the Territory. This latter seal was never adopted by the Legislative Assembly, but by the Legislative Council, the higher branch thereof, which held its sessions in the lower story or basement of the old Zion Church in Burlington. There are some facts connected with the early history of this seal which I must omit, as well as the history of the seal of the State, which latter I will continue in another paper.

Theodore S. Parvin.

Muscatine, Feb. 24th, 1859.²

Seal of the State of Iowa.

Editor Intelligencer:

I am unable to furnish much concerning the history of our great seal, but hope that this paper may lead the Hon. W. E. Leffingwell or some other competent person, to supply my omissions.

I find from an examination of the Journal of the House of Representatives, that on the 9th of December, 1846, Mr. Leffingwell, in pursuance of previous notice, asked and obtained leave, and introduced H. R. file No. 2, joint resolution, authorizing the Secretary of State to procure a State seal. This joint resolution underwent various amendments in each branch of the General Assembly until the 25th of February, 1847, it was passed in the shape of a law. The journals are so meager that I can learn nothing of its original draught. The law reads as follows, viz:¹

* * * * *

Now, all this is encompassed within the radius of one inch, and if Solomon were to revisit this earth and see this great seal, he would recall his declaration that there is nothing new under the sun. I may justly apply to this great seal the remark made by an ex-Mayor of a certain sign on Second st.: "That no man would violate the second commandment were he to bow down to it or serve it, for it is not in the likeness of anything that is in heaven above or that is in the water under the earth."

* * * * *

The old territorial seal, so neat and chaste in its design, was lost in the removal to Des Moines (pity it had not been the other),

¹ANNALS OF IOWA, 1st ser. v. I, pp. 264-66, April, 1864.

²Laws of Iowa, First G. A., Ch. CXII, p. 164. See act as set out at page 576 hereof.

and to preserve some of the old county seals from a similar fate, I would suggest to our County Judges the propriety of depositing them in the collections of the State Historical Society at Iowa City.

T. S. Parvin.*

Muscatine, Feb. 28, 1859.

At the time of the publication of these articles Mr. Parvin was the editor of the ANNALS OF IOWA. In the Editorial Department he published a note with illustrations of the two seals, which is herewith reproduced:⁵

Territorial and State Seals of Iowa.—By the help of our tasteful and enterprising publishers, we are enabled to present our readers with proof impressions of these Seals, to accompany our article on pages 264, 266, and we appeal to the good taste of the reader to sustain the correctness of our criticisms thereon.



TERRITORIAL.

STATE.

In the next number of the ANNALS Mr. Parvin gives place to a good-natured debate upon the merits of these two seals, as follows:

Great Seal of Iowa—again.

[We gladly give a place to the following characteristic letter from our old friend of many years. "Old Enoch" has no "axe to grind" and he ably argues "the other side." The Lieut. Gov. is the author of Iowa's motto upon the monument to the "Father of his

*ANNALS OF IOWA, 1st ser. v. I, pp. 266-67, April, 1864.

*ANNALS OF IOWA, 1st ser. v. I, p. 287, April, 1864.

Country." "Iowa—her affections, like the rivers of her border flow to a perpetual union."—Ed.]

Eldora, May 5, 1864.

Hon. T. S. Parvin, Iowa City.

My Dear Old Friend:—I have received from you the April number of the "ANNALS", and thank you for it. I am well pleased with it. Of course you have my "*individual efforts*" to the extent of *one* subscriber, and here is my 50 cents.

I like the general plan and object of the "ANNALS." The early history of Iowa and of the pioneers who have left their indelible impress for good upon the State, is worth preserving, and you, in my judgment, are the right man in the right place to do it.

I have read with a good deal of pleasure your "criticism" on the "Great Seal of the State of Iowa," and that also of the "Territory." There is an independence of expression in it that I like. I love to see a man *think for himself*, and then *say* what he thinks. But I do not agree with you one bit in your opinion.

Like you I lived in Iowa when it was a Territory, and when the Territorial seal was given up for the State seal. I *like* the change. I never did like the Territorial seal. The Eagle on it is a coarse, ill-begotten thing, keeled over, with great haunches as big as a New Foundland dog's, hanging out, and with one foot standing on nothing, and the other one, ditto. It looks for all the world as though it had been pilfered from an old counterfeit Mexican dollar. It is not *our* living *American* Eagle, soaring on his spreading pinions above the reach of harm.

"The god who mounts the winged winds,"

as is beautifully delineated on the State seal,

"above the earth with wings

"Displayed on the open firmament of heaven."

There is nothing that is *civilized* about the Territorial seal, unless it is considered civil to keel an eagle over on his back—nothing but claws and an Indian's bow and arrow and a wild eagle—nothing that a "white man is bound to respect." If it only had a "cussed little Indian" on it, barbarism would be perfectly delineated in all its naked deformity. If Jeff Davis had adopted it for a vignette on his Confederate Scrip instead of the "National Government" for the "note of the Iowa National Bank," I would not have been so much surprised at it.

Now turn your eye to the *State* seal, and remember that we live in a progressive age,—that we are civilized, christianized and enlightened people. See the cottage house, the orchard, the plough, the waving grain, the harvester's sickle, the sheaf of wheat, the leaden

ore, and the majestic boat of commerce, all displaying an improved *mind*.

Then there is prophetic of *this very day*, standing in front, a bold and fearless son of Iowa,—a citizen soldier, *in the very dress* of an Iowa soldier, bearing onward and upward that blessed old flag of our country, crowned by the cap of liberty. See how manly and firm he stands, and then think of Pea Ridge and Springfield, and Donelson, and Shiloh, and Vicksburg, and Corinth, and Missionary Ridge, and every other hallowed spot where sleeps an Iowa soldier slain, and then say if it is not a fit emblem of Iowa.

Then away above all these, born on eagle's wings, that is an eagle, floats that glorious motto that the patriotic, brave sons of Iowa have already taught traitors must *continue* to float there, and must be respected while it waves.

No sir. No more of the great seal of the Territory of Iowa for me. It does well enough to represent Iowa as it *was* when Black Hawk, with his strings of beads and buckskin breeches on, sat chief in his wigwam and ruled the land. But the "Great Seal of the State of Iowa," with its device of civilization and liberty, and industry, and progress, and valor, is the natural and fit motto of *to-day*. It represents Iowa as it is and *is to be* and not as it *was*. I wish there was a *meeting-house* "within this radius of one inch" in addition to what is there, the thing would then be *perfect*.

There, I have said three times as much as I intended to when I began, but it is *my opinion* nevertheless. I do not suppose it will agitate you very much, as you know my way of expressing my opinion about as well as I do yours.

I am truly,

Your Friend, E. W. Eastman⁶

Pursuing the subject of seals, Mr. Parvin offered the editor of the *Historical Record* the following communication:⁷

Editor Historical Record:

During a late visit to the rooms of the Historical Society, Mr. Lathrop, Librarian, showed me the "Great Seal of the Territory of Iowa". I well remember that when it arrived from the hands of Mr. Wagoner, of Pittsburg, the engraver, Secretary Conway brought it to the Governor's office to show it, and how pleased we all were at the appropriateness of the design and the *poetical* description the Secretary had written of it, and which a few days later he communicated to the Legislature.

I have thought you would like for publication and preservation in the *Record* an account of the history of the seal. I have here—

⁶ANNALS OF IOWA, 1st ser. v. I, pp. 329-31, July, 1864.

⁷*Historical Record*, v. VII, pp. 41-2, January, 1891.

tofore transcribed from the Journals of the Council of 1838 the communications and actions had thereon, which I place at your disposal.*

T. S. Parvin.

* * * * *

Thus is given substantially the foundation for the general information the public has upon the origin, institution, and development of the seals of our Territory and State.

I present herewith a copy of the Council Resolution and of Secretary Conway's original letter, which in minor details only, differ from those presented by Mr. Parvin:

Council Chamber, Nov. 22, 1838.

Hon. Wm. B. Conway,

Secretary of the Territory of Iowa,

Sir.

I have the honor to transmit herewith a copy of a Resolution adopted by the Council this day.

Resolved

That the Secretary of the Territory of Iowa, be and is hereby requested to transmit to the Council, the great seal of this Territory with its impression for inspection etc

Very respectfully your Obedient Servant,

B. F. Wallace, Sec'y of the Council.*

Secretary's Office,

November 23d, 1838.

To the Hon. J. B. Brown,

Pres't. of the Legislative Council,

Sir.

The request of the Honorable, the Legislative Council, expressed by a Resolution, adopted on the 22d inst. was duly transmitted to this Department of the Territorial Government,—where it was very respectfully considered, and with which it affords me peculiar pleasure to comply.

In accordance, therefore, with the request of the Honorable, the Legislative Council, the "GREAT SEAL OF THE TERRITORY OF IOWA" is herewith transmitted for inspection. It is also accompanied by impressions, on wax and paper. The DEVICE is believed to be simple; and with the highest deference to the good taste and sound criticism of the Honorable Council, it is regarded as perfectly expressive of a distinct idea, intimately associated with the history of the delightful country, which we have the happiness to inhabit;

*The transcribed portions added by Mr. Parvin were excerpts from the Council Resolution of Nov. 22, 1838, and Sec. Conway's letter of Nov. 23, 1838, which follow.

*Original letter on file in Hall of Public Archives.

and for which it is the sacred duty and lofty privilege of the Legislative authorities, to provide wise, equitable and salutary laws: The slightest examination of the Seal will disclose to the Honorable Council, the EAGLE, the proud and appropriate emblem of our national Power, bearing, in its beak, an *Indian Arrow* and clutching, in its talons, an *unstrung bow*; and whilst the idea thus delicately evolved is so well calculated to make the eye glisten with pride and cause the heart to beat high with the pulsations of conscious superiority, it nevertheless presents a touching appeal to our manly sensibilities in contemplating the dreary destiny of a declining race; nor should it fail to admonish us of the immense importance of improving, in every possible point of view, that vast inheritance which it was their peculiar misfortune to neglect.

The Honorable the Legislative Council will pardon the freedom of these reflections, which the occasion elicits if it does not demand,—whilst I have the honor to remain, as heretofore,

Your very obedient and respectful Servant,

Wm. B. Conway,
Sec'y of the Territory.¹⁰

Further reports and resolutions in regard to the Territorial seal follow:

Council. (Committee report by Lewis)

Nov. 24 1838

The committee on Territories, having had under consideration the communication from the Secretary of the Territory of Iowa, on the subject of the Great Seal of the Territory, beg leave to report—

That they have examined said seal, submitted by the Secretary, with its devices. Your committee are of the opinion that its devices are admirably adapted, and appropriate for the Great Seal of this Territory, and would, therefore, submit the following resolution:

Resolved, That the seal submitted to the Council by the Secretary of the Territory, be adopted by the Council as the Great Seal of the Territory of Iowa.¹¹

And, On motion of Mr. Hempstead, the report was received and resolution adopted.

The above resolution was reported to the House November 24, 1838, with this additional message:

"And have instructed me also to present to the House of Representatives the seal with impressions upon wax and paper as re-

¹⁰Original letter on file in Hall of Public Archives. Italicized words in communications of Wm. B. Conway, whether quoted from other publications or from the original manuscript, are underscored in the original in every instance.—Ed.

¹¹*Journal Council of Iowa Territory*, 1838-41, p. 48.

ceived from the Secretary of the Territory, in which resolution they ask the concurrence of the House.¹²

In the House Journal is found record of the adoption of this Resolution:

On motion of Mr. Nowlin,

Resolved, by the Council and House of Representatives of the Territory of Iowa, That the seal submitted to the Legislative Assembly by the Secretary of the Territory, be adopted as the great seal of the Territory of Iowa.¹³

From "Laws of 1838-39" we have the following Resolution:

No. 3:—*Resolved, by the Council and House of Representatives of the Territory of Iowa, That the seal, submitted to the Legislative Assembly, by the Secretary of the Territory, be adopted as the great seal of the Territory of Iowa.*

Approved, January 4, 1839.¹⁴

Governor Lucas approved the above resolution as shown by entry in the Executive Journal:

Jany 4th, 1839

Joint resolution on subject of Territory Seal &c approved"

Hardly had the adoption of this seal by the Territory been made, when there arose a question as to its custody. Numerous accounts have been presented of the controversy between the Secretary of the Territory and the Governor. Bearing on the subject, I present the following, hoping for the discovery of additional actual and original documents with which to supply the apparent omissions:

January 26-1839

To Charles Weston, Esq.

Dr. Sir:

* * * * *

You will call at the office of the Governor and request him to give you the Territorial Seal. This seal is my own personal property, and its use is to be exclusively confined to this Department, in States and Territories.— You will call and get and seal all the Commissions,— and if the Governor refuses to let you have the Press, you will call on Webber & Remey and borrow the price of it, which I have requested them to give you, and tender the money to the Governor in the presence of some respectable and disinterested witness—and if he does not let you [have the] seal and the

¹²*House Journal*, 1838-41, p. 44.

¹³*House Journal*, 1838-41, p. 47.

¹⁴*Laws of Iowa*, 1838-39, p. 532.

¹⁵*Shambaugh's Executive Journal of Iowa*, 1838-41, p. 290.

press, my order is peremptory that not one of the Commissions shall be delivered to the Governor or any other person until I can procure the means of sealing them in the Department of the Territorial Government with which I have the honor to be interested.

Yours

Wm. B. Conway¹⁶

Official.

Secretary's Office
Territory of Iowa
February 9, 1839

To the President of the United States

Sir.

The Legislative Assembly of the Territory adjourned on Friday the 25th of January.

* * * * *

Some few days before the adjournment, Governor Lucas sent one of his Aids-de-Camp, a certain Col. Jesse E. Williams, to the office of the Secretary, with the verbal request that the "*Great Seal of the Territory of Iowa*" should be allowed to be taken for a few minutes, into the Executive office, agreeably to the wish of the Governor. To which the Secretary consented, and delivered the seal, not believing or apprehending, by any means, that it was a project to obtain a surreptitious possession of the Great Seal of the Territory— But it seems that the Secretary was mistaken.

Finding that the Governor would not answer the Secretary's letter of the 26th of January, nor deliver the appropriation bill, adopted by the Legislature, with or without the Executive approval, nor do any act or thing that would enable the Secretary to return home to his family, where he had not been for more than three months, an order was given to Charles Weston, Esquire of Burlington,

* * * * *

to call on the Governor and procure the *seal* of the Territory and seal the commissions, then in the Secretary's office which were all filled up and signed by the Secretary of the Territory.

There was a *seal press* in the Governor's Office which had been purchased at the Governor's request, by the permission of the Secretary, ungracefully extorted from him, last September. This press was for the use of the Territory, but it was not brought on, until recently. The Secretary gave Mr. Weston \$75 in gold to tender to Gov. Lucas for the Press, the cost of it in Ohio was something like \$45— On Sunday the 27th of January the Secretary left Burlington and proceeded to this place (Davenport, the center of the Territory on the river and immediately opposite Rock Island)

¹⁶Original letter on file in Hall of Public Archives.

where he is now preparing the laws for publication, which laws are to be printed at Du Buque (still farther north) by Legislative agreement, and as the Act of Congress requires the Secretary *to reside in the Territory*, this is his residence, during the recess of the Legislature.

On Monday the 28th of January, Charles Weston of Burlington, called in a most respectful manner, on the Governor (Lucas) and requested the seal of the Territory, in the name and on behalf of the Secretary thereof, from whom he then held an order in his hand, for that purpose, and he Charles Weston did moreover then and there, tender to Governor Lucas the sum of one hundred dollars, on behalf of the Secretary, for the \$45 Seal Press, and this tender was made in the presence of Quarter Master General James M. Morgan, one of the Governor's staff, and the Governor did then and there refuse to deliver either the Seal or the Press to Mr. Weston, who on that occasion, and for that purpose, represented the Secretary of the Territory, who, if he had been at Burlington, could not, without endangering the public peace, have gone into the Executive presence, on the business referred to.

The Governor told Mr. Weston, and in the presence of the aforesaid Quarter Master General, James M. Morgan, that he, the Governor, was the keeper of the Seal, and that his office was the proper place for it, and that the Secretary had no right to leave Burlington.

In the event which happened, as was apprehended, the Secretary left a peremptory order, with Mr. Weston, that not one of the Commissions, which had been filled and signed by him (the Secretary) pursuant to the list of names and stations, submitted to the Governor, should be removed from his (the Secretary's) office until the seal had been properly affixed thereto, in said office.

This appears to have been peculiarly gratifying to Governor Lucas, who proceeded forthwith, (assisted by his Colonels, and Generals and other officers) to fill up, sign and *seal*, and distribute *other* commissions, expressing his wish that the name of the Secretary should not appear on any commission issued by him, the said Governor Lucas.

And therefore the Secretary of the Territory of Iowa, has the honor to request the President of the United States, to authorize and direct the Honorable Mr. Secretary Forsyth, to enclose a special order, to the Secretary of the Territory of Iowa, directed to his excellency, Robert Lucas, Governor of said Territory, and requiring him the said Governor, to hand over, and deliver up, the Great Seal of the Territory of Iowa, to the Secretary thereof, or to his order without fraud or further delay.

* * * * *

The special orders, now respectfully requested, will be enclosed to the Secretary, at Davenport, Territory of Iowa, whilst, with the highest regard, he has the honor to remain,

Your very obedient and respectful Servant,

Wm. B. Conway,
Secretary of the Territory of Iowa."

Official.

Secretary's Office
Territory of Iowa
August 26th, 1839

To his Excellency,

M. Van Buren, President U. States.

Sir

In an official communication of the 8th of January (more than seven months ago) the undersigned performed the unwelcome duty of apprising the President of the United States of a misunderstanding, then of recent origin, which existed (and still exists) between the Governor and the Secretary of this Territory.

* * * * *

On the 9th of February last, the undersigned had the humiliating honor of informing the President of the United States, in an official communication of that date, that His Excellency, Governor Lucas, had surreptitiously obtained possession of the *Great Seal* of this Territory, which he still retains, and which he refused to deliver up, in compliance with an order duly presented for that purpose, and of which seal, in contemptuous violation of all usage and right, he proclaims and *fancies*, himself to be the legitimate Keeper. The effects produced in a business point of view by this strange assumption, would if set forth in detail extend this communication far beyond its contemplated limits. But it is anxiously believed that the fact alone will arrest and fix the attention of the President on the hideous deformity of the principle which that fact embodies.—

Separate and distinct responsibilities, duties and rights, not to insist on the proper civilities of official intercourse, unavoidably impart to this fraudulent capture and forcible detention of the Great Seal all the features of a tyrannical outrage, which cannot be justified by arguments more correct than those which may be drawn from the mere ravings of insane power. As well might the President (if he were deranged) seize upon the Seal of State in the office of the Honorable Mr. Secretary Forsyth. * * *

* * * But Mr. Forsyth in the case supposed could resign. And so the undersigned would have done long ago, if he held his office subject to the vulgar control of Governor Lucas. * *

The Governor and the Secretary of Iowa are *both* amenable to the President of the United States, and the difficulties which implicate

¹⁷Original letter on file in Hall of Public Archives.

their public conduct *having been referred* to the latter, the only legal umpire in the case, it is therefore impossible that the undersigned should anticipate a decision by any change of attitude, which might tend, however remotely, to favor the belief that he would thus shield any portion of his official conduct from vigorous examination. Nor will it be rashly believed, that the President could be induced to lend even the dubious sanction of his hesitation or silence to the commission of outrages on inferior officers of the Government, whose proper pride of character may be higher than their stations, and whose kind feelings as men, should not be goaded, by protracted and triumphant insult, into the ferocity of tigers. The undersigned, therefore, renews his application of the 9th of February last, and prays that a special order may issue, from the proper Department, requiring the Governor to deliver up the Great Seal of this Territory, to the undersigned or to his order.

* * * * *

The undersigned seeks no triumph over Governor Lucas. He wages no war against obstinate imbecility. He merely asks the President to protect him in the possession of his clearly defined official rights, that he may be thus enabled to perform his proper official *duties*. To be a Secretary of State *without a Seal!* a recording officer *without the records*, or things to be recorded!! an accounting, and accountable officer, *without evidence of the authority* which requires and sanctions his disbursements!!! This Sir, is to possess very equivocal honors, beneath the degrading lustre of which even contented meanness could not hope to mitigate the severity of official responsibilities, under the rigorous system which enlightened opinion is happily predisposed to enforce.—

With very considerate regard I remain your respectful and obedient Servant,

Wm. B. Conway,
Secretary of Iowa.¹⁷

The extent of this controversy and its end has been already well presented by Dr. John C. Parish.¹⁸

Authority to continue in use the Great Seal of the Territory of Iowa until the Great Seal of the State of Iowa could be procured, was provided in the following:

AN ACT relative to State Seals.

Section 1. *Be it enacted by the General Assembly of the State of Iowa.* That for the want of State seals, the State officers shall, until proper seals are provided, use the territorial seals of their respective offices.¹⁹

The foregoing act was approved on January 27, 1847, and on February 9, 1847, there was enacted a statute providing for

¹⁷Original letter on file in Hall of Public Archives.

¹⁸Parish's *Robert Lucas*, State Hist. Soc. Iowa City, 1907.

¹⁹*Laws of Iowa*, 1st G. A., Ch. XIV, p. 32.

a loan of \$55,000.00, and appointing William F. Coolbaugh as the Agent for the State, for the negotiation of the loan and transferring of the bonds. Touching the seal of the Territory, Mr. Coolbaugh submitted to the State Auditor the following communication:

J. T. Fales Esq.

Burlington Iowa April 8, 1847

Dear Sir,

I am inclined to think after reflecting on the matter, that it will not do to affix the old Territorial Seal to the State Bonds.— It might subject us to the trouble of getting a new set of Bonds entirely, besides materially deferring the consummation of the loan.

We had therefore better get the new seal, even if it should occasion some delay. So soon as completed please send them either by mail or other safe conveyance, to me

Governor Briggs would perhaps like to see the Bond executed by me and I would be obliged to you if you would send him a copy, with a list of my sureties by mail.

Yours respectfully

W. F. Coolbaugh^a

But I find from the originals and impressions upon the canceled bonds that they used the Territorial Seal only.

A rather interesting phase of the history of the Great Seal of the Territory of Iowa is traced from the impressions of the seal upon the original documents assembled in the Hall of Public Archives. It will be observed that Mr. Parvin expressed the pleasure which this seal gave to those interested in its selection and adoption as the formal symbol of the sovereignty of the Territory. The recollections of this pleasure remained vivid with him until he became the editor of the ANNALS OF IOWA, and even sustained him in his partisanship in favor of its artistic quality as against that of the design adopted for the Great Seal of the State of Iowa. But after discussing the meaning of the design, and after inveighing against the design of the Great Seal of the State of Iowa, and with the evident purpose of proving his point to the readers of the ANNALS by reproducing it side by side with a reproduction of the Great Seal of the State of Iowa, in connection with his note in regard thereto, he yet presents a design not at all the same as the design described by Secretary Conway and as adopted by the legislative and executive authority of

^aOriginal letter on file in Hall of Public Archives.

Robert Lucas,

GOVERNOR OF THE TERRITORY OF IOWA.

TO ALL TO WHOM THESE PRESENTS MAY COME—GREETING.

KNOW Ye. That reposing special trust and confidence in the integrity and ability of *T. S. Parvin*

I have nominated, and by and with the advice and consent of the ~~Legislature~~ *Legislative Council* appointed him

Librarian, of the Territory aforesaid

And I do hereby authorize and empower him to execute and fulfil the duties of that office according to law **TO HAVE AND TO HOLD** the said office, with all the rights, privileges, and emoluments thereto belonging, *until the end of the next session of the Legislature aforesaid.*

unless the Governor of the said Territory, for the time being, should think proper to revoke and determine the Commission

IN TESTIMONY WHEREOF, I have caused these Letters to be made Patent, and the

Great Seal of the Territory to be hereunto affixed

GIVEN UNDER MY HAND, at Burlington, *Twelfth* day of

April

in the year of our Lord one thousand eight hundred and thirty-nine.

and of the Independence of the United States of America the 63d.



BY THE GOVERNOR

Robert Lucas

Theodore S. Parvin's Commission as Territorial
Librarian of Iowa

the Territory, and which was impressed very early in its official use upon his own commission as Librarian. Perhaps the most striking difference between the original and the reproduction Mr. Parvin sets out, is in the bow held in the talons of the eagle. In Conway's description, in the original die by Wagner, and the impression on the Parvin commission, the bow appears to be an ordinary Indian bow, unstrung. In the Parvin reproduction it is a classic bow with string taut.

The seal Mr. Parvin reproduces might better be regarded as an adaptation of the original Territorial seal. This, and other adaptations of the Great Seal of the Territory of Iowa, have long and often been used by different public and private persons as a reproduction of the original.

But from the date of Mr. Parvin's commission, to-wit: April 10, 1839, until the final official impression which was made upon the issue of bonds, after the admission of the State of Iowa to the Union, there appears no other or different design as the Great Seal of the Territory of Iowa.

The Great Seal of the State of Iowa was provided for by the Constitutional Convention which assembled at Iowa City, May 4, 1846. Sections 15 and 16 provide:

There shall be a seal of this State, which shall be kept by the Governor, and used by him officially, and shall be called the Great Seal of the State of Iowa. All grants and commissions shall be in the name and by the authority of the people of the State of Iowa, sealed with the Great Seal of this State, signed by the Governor and countersigned by the Secretary of State.²²

The provision that the seal should be kept by the Governor was evidently for the purpose of avoiding future controversy as to what official should be the keeper of the Great Seal.

During the session of the First General Assembly after the adoption of the Constitution of 1846, the matter of the device to be used and the procuring of the Great Seal for the State as provided for in the Constitution, was taken up and the following proceedings were had:

Joint Resolution No. 2,²³ authorizing the Secretary of State to procure a seal, was introduced in the House by W. E. Lef-fingwell, passed that body on December 11, 1846, and was re-

²²*Laws of Iowa*, 1st G. A., Constitution, Art. 5, sec. 15-16, p. 10.

²³Two Joint Resolutions and one bill of the 1st G. A. were entitled H. R. File No. 2. See *House Journal*, 1846, pp. 40, 67, 68.

ported to the Senate. It was referred to a committee composed of Francis Springer, Philip B. Bradley and Thomas H. Benton, who reported a substitute, which was passed by the Senate February 24, 1847, and passed by the House on the same date. The substitute for House File No. 2 reads as follows:

State Seal.

AN ACT authorizing the Secretary of State to procure a State Seal.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Secretary of State be, and he is, hereby authorized to procure a seal, which shall be the Great Seal of the State of Iowa, two inches in diameter, upon which shall be engraved the following device, surrounded by the words, "The Great Seal of the State of Iowa"—a sheaf and field of standing wheat, with a sickle and other farming utensils, on the left side near the bottom; a lead furnace and a pile of pig lead, on the right side; the citizen soldier, with a plow in his rear, supporting the American flag and liberty cap with his right hand, and his gun with his left, in the center and near the bottom; the Mississippi river in the rear of the whole, with the steamer Iowa under way; an eagle near the upper edge, holding in his beak a scroll, with the following inscription upon it: *Our liberties we prize, and our rights we will maintain.*

Sec. 2. The sum of forty dollars shall be, and is hereby appropriated for the purchase of the seal aforesaid, out of any money in the treasury not otherwise appropriated.

Sec. 3. This act shall take effect and be in force from and after its publication in the weekly newspapers in Iowa City.

APPROVED, February 25th, 1847.

Published in the Reporter and Standard March 3d, 1847.*

The die for the seal produced under authority of the law was engraved by Charles A. Robbins, for which he received \$35.00 by warrant issued May 5, 1847.

This Act passed by the first General Assembly does not appear in any of the codifications of the laws, the present Code containing only the constitutional provision for a Great Seal. "I find no act passed with reference to the Great Seal since the Act of February 25, 1847, nor do I find any act or provision in the session laws or the Code of 1851 or of subsequent codes, repealing or revising this first act; hence, the assumption is that the authority for the present Great Seal lies in this Act of February 25, 1847."²⁵

**Laws of Iowa*, 1st G. A. Ch. CXII, p. 164.

²⁵Statement by C. A. Robbins, Assistant Attorney General.

In tracing the evolution of the Great Seal of the State of Iowa from impressions upon official documents in the Hall of Public Archives, I find many minor changes have been made in the device from time to time, but in each the provision made for the device in the Act of February 25, 1847, has been substantially followed. I have searched for authority for even minor changes in the device, but have failed to find any. I believe the changes were made by engravers on their own motion and responsibility at the times new dies were ordered.



No. 1, 1847-1856.

The first seal carried out the provisions of the Act of 1847 in regard to the device, but its diameter was two and three-sixteenths inches instead of two inches as specified. The farming utensils used in addition to those provided in the Act were a grain cradle and rake. The furnace was shown as having two chimneys; the plow with beam pointing to our left; a tree standing to the right of the furnace; the flag slightly furled; the soldier as facing to the front, but slightly to his right. At the base of the inner circle and just beneath the soldier was the name of the engraver "Robbins" in very small letters. This die was used until 1856.²⁰

²⁰Reproduction of impression of first die executed for the Great Seal of the State of Iowa; used 1847-1856. See notarial commission issued by Governor Hempstead to J. N. Jerome, Sept. 29, 1854, in Hall of Public Archives.



No. 2, 1856-1865.

Impressions of another die appear in 1856. It seems identical with the first except that the furnace is shown as having one chimney; the name of the engraver "Robbins" is omitted, and several minor changes made in placing the different devices.²⁷



No. 3, 1865-March, 1869.

Impressions of a third die appear in 1865. Its diameter is two inches, outer rim; the soldier faces to his right; the beam of the plow points to our right; the flag floats free; the tree

²⁷Reproduction of impression of second die executed for the Great Seal of the State of Iowa; used 1856-1865. See Proclamation of Governor Kirkwood, Sept. 23, 1860, in Hall of Public Archives.

on the right of the furnace is omitted and there are other minor changes.²⁸



No. 4, March-May, 1869.

Impressions of a fourth die appear in March, 1869, the most important changes being: A different style of letter is used; the plow is restored to first position; the rake is omitted and the steamboat "Iowa" is reduced in size.²⁹



No. 5, May, 1869-September, 1881.

Impressions of a fifth die appear in May, 1869, wherein the plow is again reversed; the soldier holds the gun differently;

²⁸Reproductions of impression of third die executed for the Great Seal of the State of Iowa; used 1865-March, 1869. See Governor Stone's warrant of discharge for Finley Rainsbarger, Jan. 15, 1868, in Hall of Public Archives.

²⁹Reproduction of impression of fourth die executed for the Great Seal of the State of Iowa; used March-May, 1869. See notarial commission issued by Governor Merrill to Thos. F. Rice, March 2, 1869, in Hall of Public Archives.

the steamboat "Iowa" is increased in size; the rake is replaced. This die was in use until in September, 1881.³⁰



No. 6, September, 1881-June, 1882.

Impressions of a sixth die appear on documents dated in September, 1881, wherein the rake and sickle are omitted; the soldier faces to the front; the steamboat is reduced and a different style of letter is used. This die was used until in 1882.³¹



No. 7, June, 1882-December, 1883.

Impressions of a seventh die appear in June, 1882. The rake and sickle were replaced; the flag was again slightly furled;

³⁰Reproduction of impression of fifth die executed for the Great Seal of the State of Iowa; used May, 1880-Sept., 1881. See Proclamation of Governor Merrill, June 17, 1880, in Hall of Public Archives.

³¹Reproduction of impression of sixth die executed for the Great Seal of the State of Iowa; used Sept. 1881-June, 1882. See Proclamation of Governor Gear, Sept. 5, 1881, in Hall of Public Archives.

trees are shown at the front and rear of the furnace; the beam of the plow is toward our left; the size of the steamboat is increased and other minor changes are made. This seal was used until in December, 1888.³²



No. 8. December, 1888, to date.

Impressions of an eighth die appear in 1888. The outer rim was increased in size and a beaded line shown outside of the lettering; the size of the steamboat "Iowa" was greatly reduced; the grain cradle was left out; the trees at front and rear of furnace were omitted; the furnace changed in appearance and other minor changes made. This die has remained in use and is at present in the press in the office of the Governor.³³

A comparison of these impressions shows that about five distinct types have been used. These types are illustrated by Nos. 1, 3, 4, 7 and 8. The comparison also shows that Nos. 2 and 7 are very similar, differing mainly in diameter and in the placing of the lettering on the outer rim. Nos. 3 and 5 are very similar in design and Nos. 4 and 6 are of the same type.

The history of the seals of the Territorial and State courts will be treated in a future article.

³²Reproduction of impression of seventh die executed for the Great Seal of the State of Iowa; used June, 1882-Dec., 1888. See Proclamation of Governor Sherman, Sept. 20, 1884, in Hall of Public Archives.

³³Reproduction of impression of eighth and present die executed for the Great Seal of the State of Iowa. See Proclamation of Governor Larrabee, Dec. 29, 1888.

JOHN F. LACEY.

By WILLIAM T. HORNADAY.

It was the free wild birds of the Iowa prairies that once inspired a strong man to champion their cause in the council chamber of our nation. To know our birds of song is to love all birds. Fortunate indeed were the birds who sang to John F. Lacey during his boyhood and his young manhood. It was the meadow lark, the white-throated sparrow, the brown thrasher, the catbird and the whippoorwill that filled his great heart with love for all birds, and nerved his strong right arm to strike in their defense.

Out of all the achievements of Major Lacey for the better preservation of our bird allies, one fact looms up prominently and dwarfs all others. He was the first American Congressman to become an avowed champion of wild life. It is true that even before he entered the lists of the persistent, uncompromising and permanent defenders of wild creatures in need of defense, other members of Congress had manifested the spirit which later on developed the pronounced game protectionists. But Major Lacey, we repeat, was the first man in the Congress of the United States to take up the new white man's burden and make it peculiarly his own.

The date of this new departure may be given approximately as 1900. At that time few large men in public life took the woes of wild life seriously. Slaughter was the order of the day. The sportsmen who advocated game protection and secured the enactment of protective laws were animated by a desire, not to stop killing, but to preserve today in order to kill more abundantly tomorrow. It is well within the bounds of truth to state that even down to 1890 wild life preservation in America was little more than a pleasing dream, a shadow without substance. Excepting the Yellowstone Park, there were not then in existence any large game preserves in which killing was totally prohibited. Everywhere, without a single

exception, wild game was being killed far faster than it was breeding.

At the date mentioned, the killing of game was everywhere a ruling passion. The protection of our song-birds had only just begun. Every member of Congress was regarded by his constituents as a chore-boy, of whom all kinds of personal services might confidently be demanded. The number of pension-claim burdens that were laid upon Congressmen was very great; and the measures of the nation often waited upon the personal tasks of the constituent.

Acting under what may well be called an inspiration, and in spite of other burdens and other causes, Mr. Lacey deliberately elected to champion the cause of the vanishing birds. We know not just when that call to arms first was heard by him. It is in the silent watches of the night, the still small hours of the new day, when the minds of men are most free from surrounding influences, that our mental vision becomes keenest, and we most accurately measure the things that Were against the things that Are. It is in the early morning watch, when sleep has swept all cobwebs from the brain, that man's mental negatives are most sensitive to great impressions. It is then that the voice of Duty is heard in clear, bell-like tones, calling upon us to arise, put on our armor and sally forth.

I doubt not that the call to John F. Lacey to arise and stand forth as the champion of the birds came to him at a time that he himself never set down and could not name.

But come it did; and while other men were laboring for commercial and industrial causes and striving to pass bills that would appeal strongly to their own constituents, there was one man who constituted himself a Committee of One on Everybody's Business. It was, and ever has been, everybody's business to save our valuable wild life from slaughter and annihilation; but, alas! how often is it treated as nobody's business!

I repeat that Major Lacey was the first member of Congress who made the cause of the wild birds and beasts particularly his own. At first he was treated by some of his colleagues with good-natured raillery, and taken every way but seriously.

But, like the good soldier that he was, in more causes than one, he enlisted in the birds' cause, not for three months' service, nor one year, nor three years, but during the period of the war. From that moment down to his last day in Congress he was never elsewhere than on the firing line.

His victories for the wild life cause were numerous and important; but his first one was the greatest of all. The Lacey Bird Law is enough to render any name illustrious. That act, to prevent all interstate traffic in game illegally killed or shipped, was the first federal act for the better protection of birds, and it placed in the hands of the National Government a weapon more powerful and far-reaching than any cannon ever cast. It has prevented the illegal slaughter, and sale in the markets, of uncountable millions of game birds; and the rogues that it has brought to justice would, if herded together, make a great army.

The long history of Mr. Lacey's labors and achievements in Congress in behalf of wild life will be written elsewhere, in detail.¹ His effective efforts in the founding of national bison herds, with which we are most familiar, were only the latest of his achievements in the field of protection. The enabling act, and the appropriation of \$15,000 by which the first national bison herd was established, in the Yellowstone National Park, was secured through the persistence of Representative Lacey against much opposition. I am inclined to believe that his last work in Congress in his favorite cause was bestowed in securing the legislation by which the National Government joined the New York Zoological Society in the mutual action which created in Oklahoma the Wichita National Bison Range and Herd, now a pronounced success.

The proud State of Iowa may well regard John F. Lacey as one of her most illustrious men. His work has added luster to the State made famous by Allison, Harlan and Kirkwood, and throughout this nation, wherever wild birds are protected, his name is known and honored. To him the people of Iowa, and the bird lovers of America, owe a monument as lofty as his own purposes and as imperishable as his fame.

¹John F. Lacey Memorial Volume, Iowa Park and Forestry Association, 1913.

LUTHERANS IN IOWA.

[On May 10, 1914, the Lutheran people of the State of Iowa presented to the State, in the Historical Department, a large oil portrait of Martin Luther, by Olof Frithiof Grafström. On this occasion a sermon on the life of Martin Luther was delivered by Gustav Andreen, President of Augustana College, Rock Island, Illinois, and this sermon has been added to the manuscript collections of the Historical Department. The historical sketches given by different ministers on the same occasion, of the various branches of the Lutheran Church in Iowa, are herewith presented.—EDITOR.]

THE GERMAN EVANGELICAL LUTHERAN CHURCH IN IOWA.

BY REV. HENRY FLENTJE.

The history of the German Evangelical Lutheran Church in Iowa begins about 1840. Although there were many German Lutheran congregations in the eastern states at this time, there were only a few existing in the State of Iowa, at Keokuk, Fort Madison, and Burlington. Until 1852 the central, northern, and southern parts of Iowa were without congregations. In October, 1853, three German Lutheran pastors, Deindoerfer, Grossmann, and Schueller, with about twenty laymen, came from Michigan to Clayton county to do mission work for the German Lutheran Church. They organized the first Evangelical Lutheran Church in the central part of Iowa, and called their home "St. Sebald." Here it was also their intention to found a teacher's seminary, but this idea was given up. Later this seminary was built at Dubuque. From St. Sebald as a centre, Lutheran churches were organized all over Iowa. On the 24th of August, 1854, four pastors, Deindoerfer, S. Fritschel, Grossman, and Schueller, met at the parsonage in St. Sebald, and with about twenty laymen founded the Evangelical Lutheran Synod of Iowa and other States. The growth of the synod was slow but sure. Many German Lutherans moved from the eastern states and joined existing congregations, or organized new ones.

In 1870, the Lutheran church in Iowa consisted of about ninety pastors, and one hundred and twenty congregations.

At this time other Lutheran synods started mission work, namely, the Synod of Missouri and other States, the Synod of Ohio and other States, and the General Synod. At present the German Lutheran Church consists of four Synods:

The Synod of Iowa and other States, with 132 active pastors, 262 congregations, and 32,000 members.

The Synod of Missouri and other States, with 98 pastors, 152 congregations, and 22,000 members.

The Synod of Ohio and other States, with 64 pastors, 96 congregations, and 8,000 members.

The General Synod, with 35 pastors, 40 congregations, and 6,000 members.

The Lutheran church in Iowa maintains the following educational institutions:

A theological seminary at Dubuque with five professors, and about one hundred students.

A college at Clinton with nine professors and about one hundred and twenty students.

A parochial teachers' seminary at Waverly, with four professors and fifty students.

A co-educational academy at Waverly with six professors and about one hundred and twenty students.

The Lutheran Church also maintains the following charitable institutions:

An Orphans' Home at Waverly with about one hundred children.

An Orphans' Home and Home for the Aged at Muscatine, with about sixty children and forty aged.

A hospital at Sioux City with about eighty beds.

From this can be seen that the German Lutheran Church has done and is doing much for the spiritual and educational welfare of the citizens of Iowa.

THE ENGLISH LUTHERAN CHURCH IN IOWA.

BY A. B. LEAMER, D. D.

The English work of the Lutheran Church in Iowa was begun in the year 1848 by Rev. Jacob Scherer, who was commissioned as "Missionary of the Northwest" by the Synod of Illinois.

The first church was organized in Lick Creek Township, Van Buren county. In 1850 Rev. Jacob Scherer was joined by Rev. C. Conrad Keuhl, and together they established an itinerary of preaching points, covering the eastern portion of Iowa as far west as Knoxville. It seems that they also touched Council Bluffs and Sioux City in their zeal for the preaching of the gospel to the scattered Lutherans of the State.

In 1854 the first Conference was held at Knoxville on the 10th day of February. There were four pastors present. At this Conference the matter of establishing a college within the State was discussed, and a committee was appointed, charged with the duty of selecting a location as near the center of Iowa as possible. The committee settled upon Fort Des Moines, now Des Moines, and the name of the school was the Central College of Iowa. This institution had a varied experience and was eventually sold to the Baptist Church by the Baptists under the name of the Des Moines College.

The educational work begun by our Synod is still carried on

The third Conference of the Illinois Synod met at Winchester on August 30, 1855, and proceeded to the organization of the Evangelical Lutheran Synod of Iowa. The officers elected were Rev. Geo. W. Schaeffer, president; Rev. J. G. Schaeffer, secretary; Rev. F. R. Scherer, treasurer. The other charter members were Rev. John Hockenlively, Rev. D. Tuller, Rev. Geo. W. Scheide, Rev. H. F. Ely. The laymen were P. L. Kreigh, Samuel Gast, and Jacob Motern. The visiting clergymen present were Rev. L. F. Harkey, Rev. C. Witmer, Rev. D. Kurtz, and Rev. (Father) Scherer.

The second Convention of the Synod, held at Fort Des Moines, laid the cornerstone of the new college building and selected a faculty consisting of Rev. Reuben Weiser and Prof. Cupp, who opened the college for work on May 21, 1856.

The citizens of Des Moines contributed \$10,000.00 to this project and gave five acres of land. The tract comprised the ground between Sixteenth and Nineteenth streets north of Woodland Avenue.

The early days of the English work in Iowa were very trying. The president in his annual report to the Synod held

in the above year, speaks of conditions as "deplorable" not only for the school but for the general church work, and in a later report the president makes the statement that these conditions seem to be due to the fact that by the time the people coming from the east reach the Mississippi, the desire for wealth has become so intense that they "drop both conscience and religion in the Mississippi river as they cross it."

It is evident that large numbers of Lutheran people settled in Iowa, but many of them spoke a foreign tongue and at that early day it was impossible to interest them in the English-speaking church. As a result many of the fathers and mothers never united with the church and their children, growing up without the mother church influence, were lost to us and drifted gradually into other denominations. Many, however, were organized into congregations of their own tongues and have grown into strong, self-supporting churches, thus making it possible for the Lutherans to number a larger company than any other, except one, of the denominations. But while many churches were organized, the English Lutheran church lost more than it saved. However, we feel that the message delivered by these pioneers who insistently preached the gospel has had its very definite effect upon the children who followed them in the work of the Master.

The sixteenth session of the Synod was held at Tipton, Iowa, September 26, 1860, and showed an enrollment of forty-five congregations and sixteen preaching points. Sixteen pastors ministered to these congregations, totaling 1,179 communicants. The largest salary paid was \$800.00, and the least \$40.00 per year. The sixteen pastors received a total of \$2,719.25.

The Bohemian Lutheran Churches of Linn, Benton and Tama counties united with the Synod at this session. A committee from Marshall county submitted the proposition that the Synod take over the Marshall county high school and convert it into a college and seminary. The estimated value of this property was \$19,000.00. The property grew in value and the institution increased in usefulness for a number of years, at one time numbering ninety-six students, but jealousy

seemed to have entered the ranks of the Synod and proper support could not be secured for either this school or the one at Fort Des Moines. As a consequence we lost two of the most valuable assets of the church. Had those institutions remained under the control of the Synod we believe that our English Lutheran church in Iowa would far outnumber any of the foreign-speaking Lutheran churches, but our work seemed to be blocked at every turn. However, a brighter day is dawning. The last decade has been one of commendable progress and our work is being established on a permanent foundation that means success for the future.

THE DANISH AND NORWEGIAN LUTHERANS IN IOWA.

BY N. G. PETERSON.

The Danish Lutherans immigrated later than the Swedish and Norwegian Lutherans. The beginning of the establishment of Danish Lutheran churches in this State dates back to 1871 when the work was commenced by Rev. A. S. Nielson of "The Danish Church."

That Church has now eleven pastors and thirteen congregations with a membership of 4,370.

They have a college and theological seminary at Grand View, Des Moines, and at the same place they are completing an old people's home.

The other body of Danish Lutherans doing work in the State is "The Danish United Lutheran Church," having at present twenty-two pastors and thirty-three congregations, with a membership of 4,709. They have for years had a higher institution of learning at Elk Horn.

We have, then, of Danish Lutherans in this State, thirty-three pastors and forty-six congregations, with a membership of 9,079.

The work was begun among the Norwegian Lutherans by Rev. N. Brandt of the "Norwegian Synod" in the year 1851. That body has in this State at present twenty-five pastors and fifty congregations, with a total membership of 13,500. They are operating one of the best colleges in our State, Luther College at Decorah.

The second body having done work among the Norwegian Lutherans in Iowa is "Hauge's Synod," which has fourteen pastors and thirty congregations, with a membership of 5,866. They have a higher institution of learning,—Jewell Lutheran College, at Jewell.

The third body is "The United Norwegian Lutheran Church of America" having in this State fifty-two pastors and one hundred and six congregations, with a membership of 28,060. They have a higher institution of learning—Waldorf College at Forest City, an orphans' home at Beloit, and are building an old people's home at Decorah.

This gives us a total of ninety-one pastors and one hundred and eighty-six congregations, with a membership of 47,426, three institutions of learning and two institutions of mercy, among the Norwegian Lutherans.

The greater part of our Church is found in the rural districts in the north half of the State, where the woods and prairies have been changed into fertile farms and peaceful homes for the thousands of honest laboring men and women who came to this country with love for hard work and a longing for a full religious liberty, and with minds and hearts made strong by that gospel given to us in the days of reformation.

SWEDISH LUTHERAN CHURCH IN IOWA.

BY JOSEPH A. ANDERSON.

When the Swedish immigrants of the century just past came to these shores, and found abodes in various parts of our Union, some also settled on the virgin soil of Iowa. A band of Swedes, firm in the faith of their fathers, made a home for itself on the hills and in the valleys of Jefferson county. The colony there founded was called New Sweden, a name bespeaking the love of the settlers of the heritage which they possessed. In 1848, but two years after this commonwealth received its statehood, a Lutheran congregation, the oldest of the now mighty Augustana Synod, was there organized. This congregation was not a result of any pastoral care and influence exerted upon the colonists since coming to this

country, but was organized upon the initiative of the people themselves. Not until 1849 did a clergyman arrive from Sweden, and he located in our sister state to the east. Since no ordained shepherd could be secured, the New Swedeners, if I may coin the word, chose one of their own number as their spiritual head. The one chosen was Magnus Frederick Hokonson, a pious and modest man, whose portrait should be found within the walls of the Historical Department of Iowa. He was ordained in 1853 and labored in the church for forty-five years, all of which time he remained within the State, and in its soil he was buried.

It was not until two decades after the New Sweden congregation was founded, or in 1868, that Iowa became a Conference within the Augustana Synod, organized eight years earlier. Then there were Swedish congregations at New Sweden, Munterville, Madrid, Stratford, Burlington, Lansing, McGregor and Swedesburg. Until 1870 some of our Norwegian brethren were associated with us. The church at Decorah, where Luther College now is, was then in the Conference as was also a Norwegian congregation in Story county. In 1868 the following pastors, besides Hokonson, served with the State: Hakan Olson, Bengt Magnus Halland and Carl J. Malmberg. The first became president of the new Conference. Rev. Halland later founded the large Swedish settlement in Montgomery and Page counties and thereby did much not only for the church but for the material development of our State. The Conference membership in 1868 was less than one thousand souls. The following year witnessed a great influx of Swedes and the Conference, and more especially its pastors, strained every nerve to secure the people for God and the church. In 1868 three congregations were organized and the following year two, one of which was the First Church of Des Moines. The earliest churches were in the southeastern part of the State. Then a few were organized in the north and eastern portions; later the south central and central, then the southwestern and finally northwestern and northern parts of our State beheld Swedish Lutheran settlements and congregations. The names of the following

pastors, who as presidents of Conferences or otherwise did so much toward the churching of the Swedes should be mentioned: O. J. Siljestrom, M. C. Ranseen, C. A. Hemborg and John Tellsen.

The history of our Swedish Lutherans of Iowa might be summed up in the words: Faith, instruction, work, financial sacrifice, prayer, worship and success under the providence of God, to whom be the glory. At first the problem was how to secure church homes for the immigrants. Later the problem has been, how to make the children, born and reared in the new fatherland, loyal to the fathers and lovers of their church. The problems have been and are being solved. We have now a membership of 20,000 souls or more, that compose eighty-one congregations, of which seventy-five have their own churches, and are served by forty-four pastors.

The Swedish Lutheran population gathered into our congregations is most numerous in Webster county with over 2,100 members. The more populous counties are as follows in the order given: Montgomery, Buena Vista, Boone, Woodbury, Polk, Des Moines, Wapello and Page. We have congregations from McGregor to Shenandoah, Keokuk to Akron, Council Bluffs to Davenport.

The property value of the local congregations is \$820,000. The Conference as such holds property to the amount of \$225,000. The Conference's property consists of an orphanage at Stanton, which began its noble work in 1882; a Home for the Aged at Madrid which received its first guests in 1906; The Iowa Lutheran Hospital, which was dedicated in March, 1914, (only some two months ago) and is located in the Capital City.

Within very recent years the Conference has contributed over \$50,000 toward the endowment of Augustana College and Theological Seminary, located at Rock Island, Illinois, and therefore separated from us geographically by the Mississippi. This institution, the Conference, as a part of the Augustana Synod, partially owns and controls. Hence we have needed no institution of learning within the confines of the Conference.

It may be said, in all modesty, that the Iowa Conference of the Augustana Synod has attempted to do its share toward the upbuilding within our State of a strong Lutheran Church, whose membership shall help to make this commonwealth second to none in these United States, which owes its liberty under God, in a great degree, if not wholly, to Martin Luther.

OVERLAND ROUTE.

There are two principal starting-places for this route, St. Joseph, Mo., a few miles above Fort Leavenworth, and Council Bluffs, a short distance N. of the entrance of the Platte into the Missouri. The road from Council Bluffs for 800 miles up the N. side of Platte River is the best natural one in the world. The elevation is less than 12 feet to the mile. The water coming from the highlands is fresh and cool. Grass is abundant, and on the river bottom two weeks earlier than on the route over the plains from St. Joseph, on the other side of the river. Timber, "buffalo chips," and mineral coal are found sufficient to supply travellers. The large amount of travel to California, Oregon and Utah makes it a great national thoroughfare. Over 100,000 souls have already travelled this road since the discovery of gold in California. The passage from Council Bluffs can be safely made, with wagons drawn by mules or oxen, in from 60 to 90 days, at an expense of not over \$100 for each passenger. If emigrants conduct themselves properly, no danger need be feared from any Indian tribes through which the road passes. All necessary outfits and supplies can be had at Kaneshville and Council Bluffs. An accurate General Directory has been published by J. H. Colton, 86 Cedar Street, New York, and a Mormon Guide, by Mr. Clayton, which will give the emigrant all necessary information. The forts of the American Fur Company and of the United States are usually prepared to render any aid needed by travellers. Aid has also been furnished at the California end of the route at the expense of the state of California.

* * * * *

N. B. The distances from St. Joseph are about 128 miles greater. The distance of Council Bluffs from New York, via Chicago, Dubuque, Galena, Cedar Rapids, and Fort Des Moines, is 1,511 miles.

Hayward's *Gazetteer of the United States of America*, 1854, p. 851-2.

THE WRITINGS OF JUDGE GEORGE G. WRIGHT.

IV.

[Heretofore we have presented some unconnected sketches by the late Hon. George G. Wright. Herewith begins a series arranged by Judge Wright at the instance of Hon. Charles Aldrich, Curator and founder of the Historical Department of Iowa.—EDITOR.]

HON. CHARLES ALDRICH,

Dear Sir: You have more than once expressed a wish that I would as time allowed note down some of my recollections of the men and times in Iowa's early history. The fact you state, not to be denied, in explanation of the wish, is that those who were active in those scenes are fast passing away, and you are kind enough to suggest that some "jottings" by me might assist in the good work in which you are engaged for and under the direction of the State, and aid in some future history of Iowa. I comply with your request, promising you herein nothing more than such notes and memories (some, not all) as can be recalled and noted in the midst of many business cares.

AUTOBIOGRAPHY.

I settled in Keosauqua, Van Buren county, November 14, 1840. Graduated at Indiana State University, 1839—read law with my brother, Gov. Joseph A. Wright, at Rockville in that State. Was born in Bloomington, Indiana, March 24, 1820, and admitted to the bar before I was of age. Was prosecuting attorney for Van Buren county in 1845.

[I was] elected to the State Senate in 1848—my competitor being Hon. Thomas Dibble (my father-in-law), who was a Democrat, and nominated by his party without his wish the week before [I was.] I was nominated against my protest, but the same afternoon went with Mrs. Wright to his home twelve miles in the country. I told him the circum-

stances and submitted to his wish if I should run. Old pioneer as he was, he said, "Yes, yourself a Whig—I, a Democrat—neither want the place, but we owe it to our parties to make the race. It is not I against you but Democracy against Whiggism." So we made the race with the result stated, and our relations were not in the least disturbed.

[I was] candidate for congress in 1850—defeated by Hon. Bernhart Henn by about 500 (Democratic majority in district over 1,200). Was elected Chief Justice of Iowa, January, 1855—served until January, 1860. Declined re-election—was appointed to succeed Hon. L. D. Stockton, deceased, in June, 1860—served by re-election until September, 1870. Was elected to U. S. Senate in January, 1870, took my seat March 4, 1871—served for six years, declining a re-election.

[I] returned to the practice of the law—continued therein until 1882, when I took the presidency of the Polk County Savings Bank and Security Loan & Trust Company. [I am] still in that work. Was president of the State Agricultural Society for five years, commencing in 1860—also president American Bar Association, 1887-8—organized the Iowa School of Law at Des Moines in connection with Judge C. C. Cole in 1865 (afterwards W. G. Hammond was connected with us) and continued it for three years, when, on request of the regents of the State University we united with that institution—saved the Law Department, and save the six years when in the Senate, have for each year, almost, been a lecturer or teacher therein.

Was married in 1843 (October 19th) to Mary H. Dibble, who, born in New York, settled in Van Buren county in 1839. Her father, Hon. Thomas Dibble, had been a member of the New York legislature and was a member of the second Constitutional Convention in Iowa, 1846.

(And of him, I should not be pardoned if I did not say a word more. He was a pioneer, and of the very highest, influential and useful type. Of good education—a constant reader, as his farm duties permitted—far more than the average farmer—one of the best thinkers I ever knew—clear, logical

mind—never tied to old things because they were old, and yet not rejecting because they were old—he was a leader in thought and in investigation whether on political, religious or economic questions. He was not esteemed orthodox in his views, as the world goes, and yet no purer, [more] honest, thoroughly religious man in word or deed ever lived in the State. His word was gold, his advice always inspired by the best motives and his conduct such as friends and family could always refer to with admiration and pride. Was an old-time, old-fashioned Democrat, and yet was liberal in his judgment of others, always preferring to attribute good rather than bad motives to his antagonists and all people. Was always helpful to the poor and needy. His home was the resting place and favorite resort of the leading men of our State—to those of all parties and faiths alike. One of those strong, leading (not brilliant, big-talking and pertinacious) minds, found in the early communities which had so much to do in shaping its policies, building up its schools and best interests and who leave their impress years and years after they are gone. He lived to a good old age (87) respected by all, dying mourned by all.)

But to continue. To us have been born seven children, five sons and two daughters; six living, Thomas S., Craig L., Mary D. (Peavey), Carroll C., Lucia H. (Stone), and George G.; one deceased, the youngest, William R., born in 1865 and died in December, 1875. All married but George G.

This of my life, and perhaps too much.

VAN BUREN COUNTY FAMOUS MEN.

There has lived or started in Keosauqua and Van Buren county an unusual galaxy of men. I mention:

Abner Kneeland, the great freethinker and writer.

Hon. John F. Dillon, Judge of the U. S. Circuit Court.

Hon. John H. Gear, Governor and Member of Congress.

Hon. G. W. McCrary, Legislator, Congressman, Secretary of War.

Hon. H. C. Caldwell, Legislator, Colonel, U. S. District Judge.

Hon. Joseph C. Knapp, U. S. District Attorney and District Judge.

Hon. Augustus Hall, Member of Congress and U. S. Judge.

Hon. Samuel D. Elbert, afterwards Governor of Colorado and Chief Justice of their Supreme Court.

Hon. James B. Howell, my predecessor in the U. S. Senate, member Southern Claims Commission, and leading editor (*Gate City*).

Sam M. Clark, for years at head of the *Gate City* and leading editor of the State.

Gideon S. Bailey, U. S. Marshal.

Gen. J. M. Tuttle, distinguished in volunteer service during the late war, and then as State legislator.

Hon. John D. Elbert, President of the Territorial Council.

Hon. Timothy Day, first importer and breeder of short-horns in our State and for his time the biggest farmer. [Member of] Iowa Constitutional Convention of 1857.

Henry G. Stewart, also an importer; settled afterwards in Lee county and for years with Mr. Day member of the Board of State Agricultural Society, and very influential and active in building it up.

Hon. Hugh W. Sample, President Des Moines River Improvement Board.

Hon. Paul Brattain, Treasurer Des Moines River Improvement Board.

Hon. C. C. Nourse, Attorney General of State and District Judge.

W. M. McFarland, Member of General Assembly and Secretary of State.

Hon. Samuel Parker, President Territorial Council of Oregon.

J. H. Bonney, Secretary of State and Commissioner of Des Moines River Improvement.

Elisha Cutler, first Secretary of State.

Israel Kister, Treasurer of State.

V. P. Twombly, Treasurer of State.

P. M. Casady, now of Des Moines, member of State Senate, U. S. land officer and prominent banker.

S. W. Summers, colonel in volunteer service.

John B. Miller, Auditor and County Judge of Polk county, and U. S. land officer in Idaho.

T. S. Wright, general solicitor C. R. I. & P. R. R. Co.

E. O. Stanard, in Congress from Missouri and Lieutenant Governor of that State.

Edwin Manning, Commissioner of Des Moines River Improvement.

James H. Cowles, one of the proprietors of the *Gate City* and leading lawyer.

R. T. Dibble, member of Missouri Legislature.

I. N. Lewis, member of Territorial Legislature, and member of Missouri Legislature.

John J. Selman, afterwards in the Senate from Davis county, and member of the Second Constitutional Convention.

J. A. T. Hull, afterwards Secretary of State, Lieutenant Governor and member of Congress.

J. B. Weaver, officer U. S. Army, member of Congress, candidate for President, of the Greenback party.

It may be doubted or perhaps, rather, it is true, that no other county in this or any western State (agricultural) ever produced so many prominent men—nor any town of 1,000 people (and it never had more) so many as Keosauqua. In 1843 there were twenty-three lawyers in that place, and after the opening of the New Purchase and west, they and others named scattered, Summers to Ottumwa, Casady to Des Moines, Weaver and Selman to Bloomfield, Cowles to Bloomfield and afterwards to Keokuk, Elbert to Colorado, Stanard to Missouri.

The attorneys practicing there from 1841 and for years thereafter, other than those mentioned were J. C. Hall, David Rorer, Hugh T. Ried, ————, Alfred Rich, M. D. Browning, James W. Grimes, H. W. and W. H. Starr, Thomas Gray, Frederick Mills, Philip Viele, Henry Eno, D. F. Miller, Samuel Shuffleton, all leading attorneys, but perhaps the more prominent were Hall, Ried, Rich, Grimes, Rorer and the Starrs. Of these, all are dead but Miller (he, however, was seldom at the courts in the early age).

Our first court in Van Buren county was held in the upper room of the jail, a room, I should say, about 20 feet square. After that, [it was held] in a large room of a hotel or over a store until the present brick structure was completed, say, 1845.

The first term in Davis [county] was in 1845, the forenoon (of the only day of the term) in a room say 15 to 20 feet square (with two beds therein), and the afternoon in a new log house, roofed that morning, without floor, windows or doors,—Judge Mason in a rocking chair, back of a board stretched on two barrels,—attorneys on shingle or clapboard blocks,—jurors in the only case tried, seated on boards stretched on blocks,—clerk at the end of the board forming the judge's desk,—and the grand jury on one side of the town (Bloomfield) in the open prairie,—and the petit jury on the other, during the deliberations, with watchful officers to keep off the curious or interested crowd.

First term in Monroe (then Kishkekosh) county, was held at Clark's Point, a few miles west of Albia, in a cabin. It is said that J. C. Hall and Ed Johnstone (since living in Keokuk and president of Old Law Makers' Association) were disturbed during the night by being deprived of a part of their straw bedding by some horses nibbling it through the cracks of the unchinked and undaubed walls! The consequence was that both were quite near the cabin wall in the morning.

But for the present I leave these court houses. Of them possibly more hereafter.

A steam boat, one hundred feet long, is in process of construction on the island almost immediately under the Court Avenue bridge. We understand that the proprietor is Mr. Tisdale of East DeMoine. In case of a flood, how could this inchoate steamer be saved before its timbers are adjusted to their places?—*DeMoine Citizen*.

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MRS. SIGOURNEY'S PUDDING.

In a postscript to a late letter from Mrs. Sigourney, she writes:

I was glad to see that you occasionally publish a useful recipe. I think a great deal of good housekeeping, and deem it especially important in a new country. I send you, to fill a crevice in your paper, a rule for a plain and excellent pudding, which here is called *my pudding* and which I have no objection to your designating by the same name if you choose.

L. H. S.

Boil 1 qt. of milk. While it is getting ready to boil, mix four spoonfuls of flour with cold milk, stirring it carefully until there are no lumps. When the milk boils stir in the mixture, with 1 teacup of sugar, and half that quantity of butter. When all is well mingled, take it off and let it cool. Then add 4 eggs well beaten, 4 drops essence of lemon, 1 teacup of stoned raisins, and bake in a deep dish.

Sigourney—*Life in the West*, Sept. 11, 1856.



L. L. Stiles

ANNALS OF IOWA

EDITORIAL DEPARTMENT

THE GREAT SEALS OF IOWA.

The leading article in this number illuminates the historical area surrounding the selection and evolution of designs of the Great Seals of Iowa, Territorial and State. It also illustrates the advantage of present day writers over those of the past in investigation of subjects involving the transactions of our early officials. It discloses the thoughtful and patriotic efforts of Theodore S. Parvin to awaken interest in the true meaning of pioneer state service, effort made in season and out of season by him as a state official, as professor in the State University, as the first State Librarian and as the founder and creator of the great Masonic Library at Cedar Rapids.

But Mr. Parvin was obliged to rely largely upon memory in the instance of the Great Seals, whereas, since his noble service ended, the original materials of which he evidently spoke from a recollection of many years, have been brought to light and are now at hand. We are the direct beneficiaries of Mr. Parvin and his group of preachers of—one might almost say martyrs to—the effort to save to the future the means of knowing through the State and other archives themselves, the exact facts of all important points in our history.

Mr. Cassius C. Stiles, who contributes this article on the Great Seals of Iowa, was born in Madison county, Iowa, October 17, 1860. He was educated in the common schools of Madison county and at Simpson College, Indianola. He served as township clerk of South township, Madison county, from 1883 to 1887, as deputy county auditor of Madison county from 1893 to 1896, county auditor from 1897 to 1902 and index and corporation clerk in the office of the Secretary of State of the State of Iowa from 1903 to 1907. His work

under the Executive Council in transferring to the Historical Building the deposits of archives, and of their classification and arrangement, began in 1907 and has continued to the present time. His life has been one of devotion and his service has been a training for his present work, a work that is the fruit of the foresight and of the very nature of such as Theodore S. Parvin and Charles Aldrich.

MARKERS FOR SPIRIT LAKE VICTIMS.

Few chapters of frontier hardship excel in tragic interest the story of the group of circumstances attending the massacre of the first settlers about the Spirit and Okoboji lakes in northern Iowa. The larger and more spectacular phases of the matter have received attention in one way or another. In book and pamphlet, in granite and bronze they have been legibly and indelibly written. But on a visit August 5, 1914, with the surviving participants in the different parts of that affair, the writer was struck with the thought that at least one additional act of the living is still due the dead of that luckless band—to visibly note the exact places where the cabins stood and where the respective households were broken up or extinguished.

The average human heart is controlled by sympathy—say what we may of modern greed and selfishness—and in a company of twenty persons of the average age of thirty years standing with this little group of survivors on the ground at the different places where skulls had been crushed or bodies pierced, the common question was not “Why did these people come away from civilization to these shores?” but a closer thought, most intimate indeed, was “Why did these fathers and mothers bring their little ones to this spot?” “Why did the Gardners stay at this point?” The question was of the common human sympathy seeking the motive of the individual hero.

So, in addition to the beautiful monument which Iowa erected on the sightly shores of Okoboji, to commemorate the tragedy, is the need of simple tablets at the places where the

cabins burned and lives were yielded up. We can never answer why, but we can yet say, through proper monuments, where they chose to stand sentinel homes as outposts, and become sacrifices to our racial passion for moving on.

We gladly promised to produce and promote a plan of simple marking of these sacred sites.

"DODGE", THE "PLAINS" AND "BUFFALO."

The name "Dodge," the area known as "the plains" and the subject of the "buffalo," somewhat in confusion, are elucidated in the following correspondence:

Des Moines, August 20, 1914.

My Dear General,

In preparing a label for our group of buffalo we have mounted, I find my former assistant, Mr. T. Van Hynning, without noting his source, uses the following language:

"Colonel Dodge mentions a single herd estimated at four million, covering a territory not less than twenty-five miles wide and fifty miles long. It required five days for the herd to pass a given point."

I also think I remember reading somewhere a reference to your observing the arrow of an Indian driven entirely through the body of a full-grown buffalo. Now, where, if any printed record of yours contains these references, are these statements to be found? If they were never printed, or if you cannot recall in what they occur, shall I attribute them to you?

Sincerely yours,

E. R. HARLAN.

Gen. Grenville M. Dodge,
Council Bluffs, Iowa.

Council Bluffs, Iowa, Aug. 29, 1914.

Mr. E. R. Harlan,
Curator Historical Department,
Des Moines, Iowa.

My Dear Harlan,

I have yours of the 20th instant relating to buffalo hunts. The Col. Dodge you refer to is Richard I. Dodge who was in the army. I have seen the same thing that probably he did. I have seen a continuous herd of buffalo from Fort Kearney to what used to be

called the Junction; that was 200 or 300 miles that covered not only the Platte but the Republican Valley—no telling how many there were. I have known that after the building of the railroad that buffalo were so plentiful along both the Union Pacific and the Kansas Pacific railroads that they stopped the trains, and in traveling through a herd it took a great deal more than five days. In the summer this was the grazing ground.

The other question about the Indian putting an arrow through the buffalo,—many have seen that done with the bows and arrows they had in those days; they went with very great force. The Indian would ride alongside of the buffalo and fill him full of arrows and kill him, and if the arrow struck where it did not find any bone it would not be difficult to force it through him.

Col. R. I. Dodge wrote many books about matters on the plains. He was not my relative. He was from North Carolina. His identity and account, found in the writings of one of the greatest living Iowa men, is in the *American Natural History*, by William T. Hornaday, p. 102, Scribner, 1906:

"It is safe to say that no man ever saw in one day a greater panorama of animal life than that unrolled before Col. R. I. Dodge, in May, 1871, when he drove for twenty-five miles along the Arkansas River, through an unbroken herd of buffaloes. By my calculation, he actually saw on that memorable day nearly half a million head. It was the great southern herd, on its annual migration northward, and it must have contained a total of about three and one-half million animals. At that date, the northern herd contained about one and one-half millions. In those days, mighty hosts of buffaloes frequently stopped or derailed railway trains, and obstructed the progress of boats on the Missouri and Yellowstone rivers.

"In 1869, the general herd was divided, by the completion of the Union Pacific Railway, into a 'northern herd' and a 'southern herd.' The latter was savagely attacked by hide hunters in the autumn of 1871, and by 1875, with the exception of three very small bunches, it had been annihilated."

I don't think I wrote much about the buffalo, although I have hunted them with the Indians and have seen the "surrounds."

I am, truly,

G. M. DODGE.

THE RIVER JEFFREON IS THE NORTH RIVER.

Touching the identity of the River Jeffreon in modern nomenclature, we publish the following correspondence:

Historical Department of Iowa.
Des Moines, Iowa, August 24, 1914.

Bureau of Ethnology, Washington, D. C.

Gentlemen: In part 2, 18th Annual Report of the Bureau of American Ethnology, and on Map 37, therewith, occurs among other Indian boundary data the name "The Jeffreon River" which is a section of the boundary of the Sac and Fox cession of November 3, 1804.

Upon what data is the conclusion reached that this particular river, now known as the South Fabius river, was the "Jeffreon" river had in mind by the parties to the treaty of 1804? Is there any map, chart or writing extant, contemporaneous with the time of the execution of the treaty that has intrinsic proof that this is the stream? If so, will you kindly give me a copy, photograph or tracing of the item.

Sincerely yours,

EDGAR R. HARLAN,
Curator Historical Department of Iowa.

Smithsonian Institution,
Bureau of American Ethnology,
Washington, D. C., October 15, 1914.

Mr. Edgar R. Harlan,
Curator Historical Department of Iowa,
Des Moines, Iowa.

Dear Sir:

I am enclosing a copy of the letter from Colonel C. C. Royce, dated October 7th, in regard to the "Jeffreon" river.

Truly yours,

F. W. HODGE,
Ethnologist-in-charge.

Washington, D. C., October 7, 1914.

Dr. F. W. Hodge,

Director Bureau of Ethnology:

I am in receipt by reference from you of a letter dated Aug. 24, 1914, from E. R. Harlan, Curator of the Historical Department of Iowa, asking "upon what data is the conclusion reached that this particular river now known as the South Fabius river was the Jeffreon river had in mind by the parties to the treaty in 1804."

In reply I will say that the river "Jeffreon" as named and spelled in the Sac and Fox treaty of 1804 is laid down under the name "Jaufrione" on a number of the early maps of that section, viz.: on a map of the U. S. of N. America by A. Arrowsmith dated 1802; also on a map of U. S. by Abraham Bradley, Jr., 1804; also on a map of U. S. by Osgood Carleton, 1866; also on a map of

U. S. by P. A. F. Tardieu, 1806, and again in 1808 by same cartographer.

These maps of course are wanting in much of the detail of modern maps of that section, but a rough diagram I submit herewith¹ indicates the location of the "Jeffreon" river and makes it coincident with what is indicated on modern maps of Missouri as the North river, a stream entering the Mississippi a short distance south of the Fabius river.

I return herewith the letter of Mr. Harlan.

Very truly yours,

C. C. ROYCE.

NOTES.

On September 14, 1914, the Francis Scott Key chapter of the Daughters of 1812, by their president, Mrs. Mary H. S. Johnston, presented a memorial tablet to the Public Library of Council Bluffs, Iowa. It commemorates a visit by Abraham Lincoln to Council Bluffs. The inscription reads as follows:

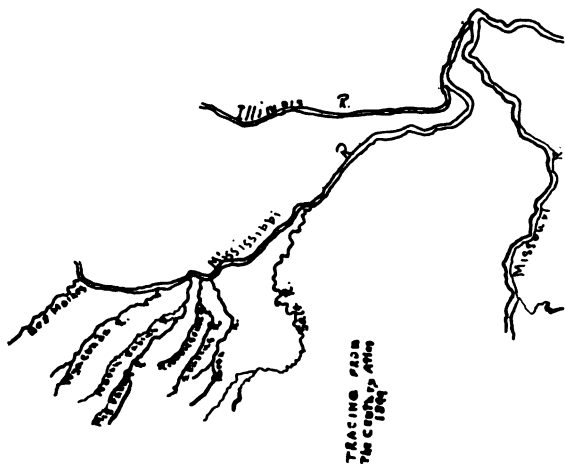
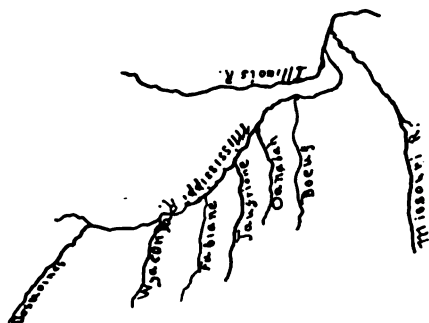
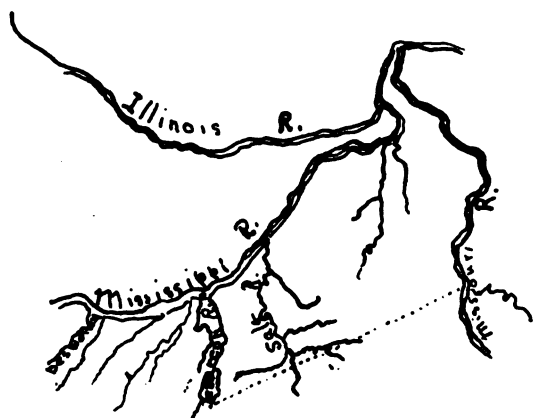
To the memory of Abraham Lincoln, who on August 19, 1859, was the guest of Hon. William H. M. Pusey, whose residence stood on this ground, this tablet was placed by Francis Scott Key chapter Council Bluffs, Iowa, September 14, 1914.

J. M. Galvin, president of the library board, accepted the tablet. Addresses were made by Hon. Walter I. Smith and Gen. Grenville M. Dodge.

On the occasion commemorated, Mr. Lincoln reached Council Bluffs by boat from St. Joseph. He was accompanied by O. M. Hatch, then secretary of the state of Illinois. Mr. Lincoln registered at the Pacific House, transacted some personal business, held a conference with General Dodge, made an address on slavery in Concert Hall and visited his old friends, Thomas Officer and Judge W. H. M. Pusey.

On August 4th at Fairport, in Muscatine county, the new United States Biological Station was dedicated by public ceremony. It is a monument to the persistence of our governmental policy of restoring wasted resources, for the existence

¹See illustration opposite.



TRACING FROM
THE COUNTRY, 1804

TRACING
of
A PART of
PLATE CXLIV
18th ANNUAL REPORT
Bureau of Ethnology

Ed Royce
Washington D.C.
October 7, 1914

Maps identifying the Jefferson river of the Sac and Fox Treaty of 1804 with the North river of the present time.

of the fresh-water clam and all the industry and capital it supports is dependent on the success that attends the scientific experiments to be first worked out under the best circumstances.

But the station is even more a monument to John F. Boepple, a German immigrant to Iowa, who adapted his trade of cutting buttons from horns to the cutting of buttons from the shell of the clam. Though Mr. Boepple had not the instinct for gain that those had to whom he disclosed his adaptation, and therefore carried little more to his grave than the thoughts of a discoverer, his name is fixed in industrial annals, and the station and the bronze tablet to his honor affixed to its walls will so speak to those beyond our time.

The Historical Department is making a special effort to secure a complete set of the Journals of the Council and House of the Territory of Iowa for use in the indexing of the Archives. We would like, therefore, to call upon our friends to aid us in collecting copies of these documents, which are now very rare. Copies of any of these journals will be very acceptable, and we are especially anxious to secure the following:

Journal of the House of the 1st Territorial Assembly
1838-'39.

Journal of the Council of the 2nd Territorial Assembly
1839-'40.

Journal of the Council of the 3rd Territorial Assembly
1840-'41.

Journal of the House of the 3rd Territorial Assembly
1840-'41.

Journal of the Council of the 4th Territorial Assembly
1841-'42.

Journal of the Council of the 5th Territorial Assembly
1842-'43.

Journal of the Council and House 6th Territorial Assembly
1843-'44.

Journal of the Council and House 7th Territorial Assembly
1845, May-June.

Under a resolution adopted by the Thirty-fifth General Assembly, which authorized our institution to participate with any Iowa citizens in providing on behalf of our State some representation at the Panama-Pacific International Exposition at San Francisco in 1915, we have submitted a plan, which, so far as funds which the voluntary Commission have raised wholly by private subscription will permit, has been approved as follows:

The walls of the Iowa building will be hung with the best portraits of Iowa eminent personages, from the portrait galleries of the Historical Department.

A current filing case for every Iowa newspaper, if sent gratis to the Iowa building, will provide for any visitor the latest number of his home paper.

A series of book cases will contain the documents, reports and publications of each Iowa public institution from its organization to present time, and one or more will contain books by Iowa authors.

A representative collection and receptacle from our Autograph Collection and the Hall of Public Archives will be installed, and effort will be made to afford to the casual visitor a pleasing impression and to the specialist every aid to a knowledge of the fact, past or present, of every State purpose or policy. No accentuation of any one institution will be made, and no boom or puffing resorted to.

LEE GOODENOUGH.

In participating last summer in the appropriate reinterment of the remains of Joel Howe, one of the victims of the Spirit Lake massacre, the Historical Department made too little of the service of the modest, keen-sighted, thoughtful youth. Lee Goodenough, of Knoxville. It was he, who, a member of the summer camp of the Y. M. C. A., while delving alone along the edge of East Okoboji, observed the small bone fragments that led him to uncover and carefully preserve the remains which proved to be those of Joel Howe.

NOTABLE DEATHS

JOHN LEWIS GRIFFITHS was born in New York, October 7, 1855; he died at his residence in London, England, May 17, 1914. His parents were David G. and Elizabeth Griffiths, natives of Wales. When he was twelve years of age, the family removed to Iowa, where he completed his high school course in less than three years. He studied law at the State University of Iowa and received the degree of A.B. in 1874 and LL.B. in 1875. He was admitted to the bar and engaged in practice at Indianapolis, Indiana. He took part in every national and state convention of the Republican party after he had a vote, and was much in demand as a campaign orator. He was a member of the Indiana state legislature in 1887, reporter of the Indiana supreme court 1889-93, and at one time candidate for governor. In 1905 he was appointed consul-general to Liverpool by President Roosevelt, and in 1909 transferred by President Taft to London. Memorial services were held at St. Pauls, Knightsbridge, London, on May 22d, and final funeral services in New York, June 1st. Mr. Griffiths was an orator of ability, and at the time of his death was engaged in writing a life of Benjamin Harrison. An article by him on Legal Procedure in England, appeared in the *Annals of the American Academy* for March, 1914.

WILLIAM H. INGHAM was born at Ingham's Mills, New York, November 27, 1827; he died at the home of his son in Olympia, Washington, July 28, 1914. He was educated in the public schools until the age of ten, then attended a private school for two years, studying Greek and higher mathematics, and finally had several terms at Little Falls Academy. At the age of eighteen he began business with his brother and was engaged therein for several years. In 1851 he removed to Cedar Rapids, Iowa, surveying and locating lands, and was on a trip of this nature when he visited Kossuth county in 1854, and noting its possibilities, decided to locate there. As a pioneer hunter, land surveyor and settler he had many interesting adventures and encounters with the Indians. In 1854, after the Spirit Lake massacre, he formed a scouting party to explore the country for danger, and performed a similar service in 1862. When the troops were formed to protect the border, he was appointed captain of Company A, Northern Border Brigade, and with his company took quarters at Estherville and erected Fort Defiance. They were mustered out of service in December, 1863. In 1866 he removed from his farm to Algona where he thereafter resided. In 1870, in company with Lewis H. Smith, he began the

first banking enterprise in the county, and in 1873, when the bank was re-organized and incorporated as a state bank, he was made president and held the position until his death. Captain Ingham was always interested in the cause of education and was one of the promoters of the Algona College and the Northern Iowa Normal School. He was a close student and a mathematician of high ability. He was on a visit to the West when his death occurred. His remains were interred at Algona, August 3, 1914.

FREDERICK WELKER was born in Melle, Province of Hanover, Germany, April 19, 1834; he died at Muscatine, Iowa, July 14, 1914. At two years of age he emigrated with his parents to the United States. The family settled on a farm in St. Charles county, Missouri, where his boyhood was spent. In 1852 he removed to St. Louis and engaged in business. At the outbreak of the Civil war he enlisted as private in Company G, First Regiment Missouri Volunteer Infantry, and at President Lincoln's call for 300,000 volunteers, re-enlisted as First Lieutenant of the same company. In September, 1861, he was promoted to the Captaincy of Company H, First Regiment Light Artillery Missouri Volunteers, and soon thereafter to Major. He participated in a number of the most important engagements of the war and won renown at the battle of Shiloh, in the siege of Corinth and in the Atlantic campaign. On March 13, 1865, he was commissioned Lieutenant Colonel and Colonel. At the close of the war he settled in Mount Vernon, Ohio, remaining there until 1871, when he removed to Muscatine, Iowa, where he was in business for sixteen years. From 1887 to 1899 he was in the commission business at San Francisco, from 1899 to 1902 resided in Vancouver, B. C., and from 1902 to 1908 in Montreal. In 1908 he retired from business and returned to Muscatine to spend his remaining days. For many years he was presiding officer of the Colonel Welker Veteran Association which embraced the surviving membership of the Old Muscatine Rifles. Under his command the organization attained national prominence, being one of the best drilled military bodies in the country.

MRS. BERNHARDINE (LORENZ) WACHSMUTH was born in Hanover, Germany, November 20, 1837; she died at Burlington, Iowa, January 19, 1914. She removed to America when a young girl and located in Burlington, where she was married on June 3, 1855, to Charles Wachsmuth, who was then engaged in the grocery business. The condition of his health making it necessary for him to be out of doors, Mr. Wachsmuth took up the study and collecting of fossils, and in this he was ably assisted by Mrs. Wachsmuth. They frequented the quarries, bluffs and creek beds around Burlington, and the collection soon grew to such proportions as to attract the at-

tention and commendation of Professor Agassiz of the Harvard University museum of comparative zoology. In 1865 Mrs. Wachsmuth accompanied her husband on a trip to Europe and was absent for a year. On their return they continued their study and collecting of crinoids. In 1873 their collection was given to the Harvard University museum and Mr. and Mrs. Wachsmuth accompanied it to Cambridge, remaining there for some time. The next year they again went abroad, visiting Europe, Asia and Africa. Returning to Burlington they made another collection, greater than the first. Associating in 1877 with Mr. Frank Springer, they developed the history and science of crinoids and published several important books on that subject. After the death of Mr. Wachsmuth in 1896, Mrs. Wachsmuth continued her interest in her husband's life work and also along other lines of science, art and music. She was a home maker as well as housekeeper and her home was a social center for the cultured people of Burlington for many years.

GEORGE F. JENKINS was born in Clark county, Missouri, July 15, 1842; he died at Keokuk, Iowa, September 4, 1914. He attended the public schools of Clark county and the high school at Alexandria. After a course in a commercial college at St. Louis and a visit to the East, he crossed the plains to California and took up the study of medicine in 1865 in the Toland Medical College, San Francisco, which later became the medical department of the University of California. After finishing the course there he returned to St. Louis and graduated from the Missouri Medical College in 1867. After three years' practice in Sandusky, Iowa, he located in Keokuk, and continued in the general practice of medicine and surgery from that time until shortly before his death. From 1879 to 1890 he filled a chair in the College of Physicians and Surgeons of Keokuk and was also president of the faculty. In 1890 he assisted in the organization of the Keokuk Medical College, was elected president and retained connection with that institution until 1900, when upon its consolidation with the College of Physicians and Surgeons he became president and professor and dean of the faculty. He was one of the founders and promoters of St. Joseph's Hospital, Keokuk, and gave close study to sanitation in the city. He acted as medical examiner for a number of the leading insurance companies for many years and was a member of various county, city and national medical associations, contributing valuable articles to the leading medical journals of the day. The honorary degree of master of arts was conferred upon him by Parsons College in 1884.

PHILO MILTON JEWELL was born in Mt. Vernon, Knox county, Ohio, January 1, 1848; he died at his home in Decorah, Iowa,

January 8, 1914. He removed with his parents to a farm in Carroll county, Illinois, in 1856. Here he grew to manhood, obtaining his education at the Mt. Carroll seminary and the Mt. Carroll high school. He taught school for a year and then began the study of medicine in the medical department of the University of Michigan, graduating therefrom in March, 1873. He engaged in the practice of his profession at Lyndon, Illinois, for six years. He removed to Winneshiek county in 1880 and continued there in the practice of medicine and surgery, associating in later years with his son, Dr. M. D. Jewell. He served as coroner of Winneshiek county from 1899 to 1903 and was a member of the United States pension board from 1897 until his death. He was elected representative to the Thirty-second General Assembly in 1906 and served through the Thirty-second, Thirty-second Extra and Thirty-third General Assemblies. In 1910 he was chosen state senator and represented the Winneshiek-Howard district in the Thirty-fourth and Thirty-fifth General Assemblies.

LEONARD BROWN was born in Syracuse, Indiana, July 4, 1837; he died at Chicago, August 24, 1914. He attended the common schools of Syracuse until thirteen years of age and then worked for three years in a blacksmith shop. He removed to Des Moines in 1853 and attended Des Moines academy for one year. The next year he went to Burlington where he remained for four years as student and tutor in mathematics in a university. Returning to Des Moines, he associated with Rev. John A. Nash in establishing Forest Home Seminary in 1860. In 1866-7 he was superintendent of schools in Des Moines and Polk county and in 1875-6 professor of language and literature in Humboldt College. During the Civil war he enlisted in Company F, Forty-seventh Iowa Volunteer Infantry and served with his regiment the one hundred days of their enlistment. He spent much time on the lecture platform, speaking on education and political subjects, and contributed much to campaign literature. He was the author of several books and pamphlets, among them being *Poems of the Prairies*; *Our Own Columbia*; *Popular Perils*; *Iowa, the Promised of the Prophets*; and *the Rights of Labor*.

ALVIN MANLEY WHALEY was born in Wyoming county, New York, May 14, 1838; he died at his home in Aplington, Iowa, October 29, 1911. He began his education in the common schools of Wyoming county and at fifteen years of age entered Middlebury Academy, teaching during the winters in order to pursue his course. In 1861 he enlisted in the Civil war in Company K, Seventeenth New York Volunteers, was elected Second Lieutenant and on account of meritorious service was soon promoted to Captain. He was severely

wounded at Fredericksburg and mustered out upon his discharge from the hospital, but he immediately re-entered the service commissioned as quartermaster and serving as assistant quartermaster general. In this capacity he went to Alabama, Vicksburg and with Sherman on his march to the sea. After the close of the war he returned to Wyoming county, New York, and engaged in farming. He removed to Iowa in 1869, settling at Aplington, Butler county, and became one of the influential men of the community, interested in the grain, lumber and stock business and later was president of the Exchange Bank for many years. He was a Republican in politics and represented Butler county in the House of the Seventeenth and Eighteenth General Assemblies. He was also senator from the Forty-sixth senatorial district in the senate of the Nineteenth, Twentieth and Twenty-first General Assemblies. He was appointed postmaster at Aplington by President McKinley and served for several years.

JOHN NOLLEN was born at Didam, Holland, April 4, 1828; he died at Pella, Iowa, May 31, 1914. He was educated at Arnhem, Holland, for the profession of teacher and taught in that place for several years. He emigrated to the United States in 1854, settling in the struggling Dutch colony of Pella, not then ten years old. He was assistant editor of the *Pella Gazette*, the first newspaper published in Marion county, from 1854 to 1859. In 1855 he entered the banking business and acted as cashier of the Pella bank from the time of its organization as the Pella Savings Institution until 1908, and continued his connection with it until his death. He was the author of a series of articles on currency reform that were considered authoritative. Mr. Nollen was a prominent factor in the welfare of Pella, serving in his early years as treasurer and for four consecutive terms as mayor. He was also president of the school board and member of the board of trustees of Central College. He was a man of broad culture, well versed in the sciences, modern languages and the classics, and was a skilled pianist and pipe organist.

MILLARD F. LE ROY was born in Manchester, Dearborn county, Indiana, January 16, 1850; he died at Hillsdale, near Chicago, Illinois, February 21, 1914. His parents removed in 1852 to Grundy county, Illinois, and his early education was received there and at Moore's Hill, Indiana, where he attended school from eleven to sixteen years of age. After a business course in Clark Seminary in Illinois, and a year at Manchester, Iowa, he returned to Moore's Hill and graduated from the Moore's Hill College with the degree of B. S. In 1869 he entered the State University of Iowa and graduated from the law department in 1870 with the degree of LL. B. He engaged with Charles L. Bronson in the practice of law at

Manchester for many years. He was also interested in the banking business and was for some time in active charge of the Manchester bank. He served as cashier of the First National Bank for years and was elected president, which position he held at the time of his death. He was a Republican in politics and represented Delaware county in the Thirty-fifth General Assembly.

EDSON GAYLORD was born in Northville, Litchfield county, Connecticut, October 16, 1826; he died at his home near Nora Springs, Iowa, March 18, 1914. He began work on a farm at the early age of six years and at nine was hired out to work on a farm at six dollars a month. He began teaching school at the age of seventeen years. He continued working and teaching in the East until 1853 when he came West to make his home, and after stopping in Wisconsin, Illinois and Minnesota, finally settled in Floyd county, Iowa. In October, 1853, he cut the first tree for his home, which was made entirely without nails. He cut the first tree for the first school house in Floyd county, cut out and made the first pioneer road through Rock Grove township and burned the first lime in a regular kiln. During his long residence he served as justice of the peace, member of the board of township trustees and member and chairman of the school board. For some years he was a correspondent of the *New York Tribune*. He was considered an authority on agriculture and horticulture and gave especial attention to apple culture in the northwest.

JOHN D. McLEARY was born in Wabash county, Illinois, September 27, 1829; he died at Indianola, Iowa, April 3, 1914. He was educated and taught school in his native county, later going as a school teacher to Fulton county. In 1852 he removed to Mt. Pleasant, Iowa, and taught school one winter. He then removed to Indianola where he spent a few years teaching school and acting as deputy county clerk. He took up the study of medicine, most of his course being pursued in Chicago. He received his degree in 1861 from the Keokuk Medical College. He practiced medicine in Indianola continuously for more than fifty-two years. During the last years of the war he served as assistant surgeon in the Thirty-fourth and Forty-sixth Iowa regiments. In 1891 Gov. Horace Boies appointed him regent of the State University of Iowa to fill out the unexpired term of Thomas S. Wright, and later he served a full term. He was a member of the county board of examiners of the insane from the time of its organization until shortly before his death. For many years he was pension examiner and for forty-one years local surgeon for the C. R. I. & P. Railway. He was a Republican in politics and always interested in the welfare of the community in which he lived.

JOHN E. ROWEN was born at Thompsonville, Connecticut, July 26, 1837; he died at his home near Rowan, Iowa, May 1, 1914. As a boy he worked in the woolen and carpet mills and attended school but little, his education being obtained later by extensive reading and observation. At the age of fifteen years he removed with his parents to Cedar county, Iowa, and three years after to Wright county. At the age of twenty-one years he was licensed preacher in the United Brethren church and continued in this work for fourteen years, organizing and establishing twelve churches. He afterward entered the insurance business and for twenty years was a very successful agent. He was elected to the legislature and served as senator in the Twenty-fifth, Twenty-sixth and Twenty-sixth Extra General Assemblies. He was United States consul to the Falkland Islands for ten years and to Punta Arenas, Chile, four years. On his resignation from the service he was commended by the department of state for work performed.

JOHN M. GOBBLE was born in Abingdon, Iowa, October 10, 1849; he died at Muscatine, June 9, 1914. His early years were spent in his native town where he received the elements of the business training which afterwards enabled him to build up one of the largest wholesale grocery houses in Iowa. From 1870 to 1880 he engaged in the retail and wholesale grocery business in Fairfield, removing in the latter year to Muscatine where he has since conducted a flourishing wholesale business. He was elected mayor of Muscatine in 1886 and re-elected for a second term, but resigned in order to serve as Senator in the Twenty-third and Twenty-fourth General Assemblies. He later acted as mayor for a third term.

JOSEPH H. MERRILL was born in Plymouth, New Hampshire, September 27, 1827; he died at Ottumwa, Iowa, April 25, 1911. He removed to Ottumwa in 1862 and entered the grocery business in which he was very successful and became the head of the wholesale grocery house of J. H. Merrill & Co. of Ottumwa with branch houses at Creston and Red Oak. He was also interested in the banking business and at the time of his death was president of the Iowa National Bank of Ottumwa, the City Savings Bank and the Agency Savings Bank. He served as senator from Wapello county in the Fourteenth, Fifteenth and Sixteenth General Assemblies.

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ERRATA.

p. 526, Barris, William H., should be Barris, Willis H.

p. 397, Carskaddan, Bruk & Pepper, should be Carskaddan, Burk & Pepper.

p. 109, Clarke, Charles A., should be Clark, Charles A.

p. 602, Crooks, George, should be Crooke, George.

p. 14, Cullen, W. I., letter showing expenses refers to Spirit Lake relief expedition, not to Frontier Guards.

pp. 252-53, 358, Kappler's Indian Affairs, Laws & Treaties, v. II, p. 497, should be v. II, p. 495.

p. 293, Eastman, Bishop, should be Eastburn, Bishop Manton.

p. 76, Howe, Samuel F., should be Howe, Samuel Luke.

p. 463, Knives—Hunting knife, present from Gen. Rawlins, (Grant's chief of staff), should be Present from Gen. J. D. Webster (Grant's Chief of Artillery).

p. 335, Lynns, should be Lyons.

p. 278, Pierce, Frank, Des Moines county, should be Pierce, Frank, Des Moines city.

p. 71, Scott, William Alexander, should be Scott, Wilson Alexander.

p. 1, Smith, Rodney A., should be Smith, Roderick A.

p. 2, Wheelock, R. N., should be Wheelock, Robert U.

